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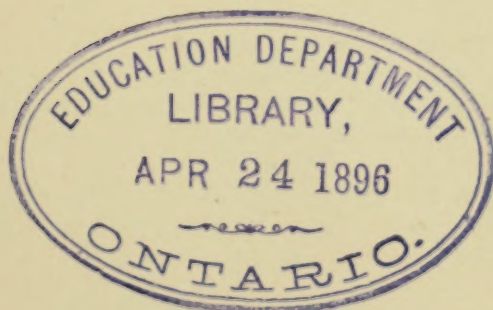
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HISTORY OF ROME,

133—78 B.C.



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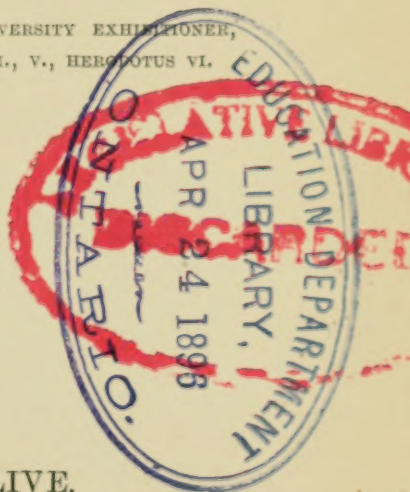
HISTORY OF ROME,

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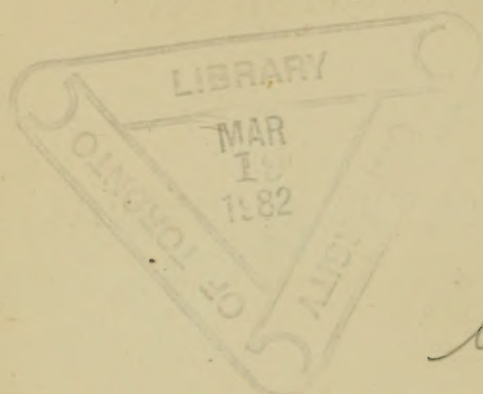
BY

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THE DECLINE OF THE OLIGARCHY:

A HISTORY OF ROME, 133—78 B.C.

CHAPTER I.

INTRODUCTORY.

§ 1. Dominions of Rome, 133 B.C.—§ 2. The Governing Class.—§ 3. The Senate: Its Relations to the Magistrates and the Popular Assemblies.—§ 4. Sphere of the Senate's Activity.—§ 5. The Magistrates: The Ultimate Decree: The *Lex Villia Annalis*.—§ 6. The Popular Assemblies.—§ 7. The Decay of the Farmers.—§ 8. The *Ager Publicus* and Agrarian Laws.—§ 9. The *Latifundia* and Slave Labour.—§ 10. The Growth of the City Rabble: *Ludi*: *Frumentationes*.—§ 11. The Army.—§ 12. Rome and her Subjects.—§ 13. Citizens: Citizen Colonies.—§ 14. The Passive Citizens.—§ 15. The *Nomen Latinum*.—§ 16. *Socii*.—§ 17. Grievances of the Italians.—§ 18. The Provinces: Various Classes of Towns.—§ 19. Policy of Rome towards the Provinces.—§ 20. The Governor.—§ 21. The *Publicani* and *Negotiatores*.—§ 22. Condition of the Provinces.—§ 23. Summary.

§ 1. THE year 133 B.C. is memorable by reason of the fact that with it commences the series of attacks upon the Senate which ultimately led to the overthrow of that oligarchical body. But though the popular party, in alliance with powerful army leaders, succeeded, a century later, in its aim, it reaped little political advantage from the overthrow of its enemy. The oligarchy fell indeed, but the result was the despotism of one man, not the establishment of a genuine republic of equal citizens.

Rome had long been an imperial city, but her expansion was at first slow, although always proceeding with increas-

ing rapidity. When the Tarquins were driven from the kingship Rome was still a city-state. As the burghers looked out from her walls they could see where her territories ended and those of her enemies began. South and east were Volscians and Aequians, while to the north the more formidable power of the Etruscans stretched far and wide, and only ten miles distant the temples and towers of the rival city of Veii might be seen. For a century Rome made little progress towards the conquest of Italy, and the raid of the Gauls (390 B.C.) not merely wrested from her the hold she had won over the Latin League, but threatened her very existence. However, the danger passed away, and in 338 B.C. the Latin League was compelled to acknowledge her supremacy. Northern Campania, with its great city of Capua, had already been received into alliance, and the Second and Third Samnite wars, connected with the struggle against Pyrrhus, only secured the more firmly the central and southern parts of the peninsula. The submission of the Etruscans may be dated from 282 B.C., and with the defeat of Pyrrhus (274 B.C.) and the surrender of Tarentum (272 B.C.), Rome became mistress of all Italy as far north as the valley of the Po. Her peninsular dominion was rounded off by the acquisition of Sicily, Sardinia, and Corsica after the First Punic War (264-241 B.C.). Then came the terrible struggle with Hannibal (218-202 B.C.), which resulted in Rome's establishing a footing in the Spanish peninsula, while in the East she came into collision with Macedonia. That crisis passed, she set out upon a career of foreign conquest, which, though marked by occasional incompetence and failure, gave her new dominions in Greece and in Africa, made her power felt in Asia, and set her at the head of the Mediterranean powers.

§ 2. Such then was the extent of the Roman Empire in 133 B.C.,* and the question now arises as to the government by which these dominions were administered. For a hundred and fifty years after the expulsion of the kings, the patricians formed the governing class,

* Her provinces at this date were as follows : Sicily (constituted in 241 B.C.), Sardinia with Corsica (237 B.C.), Hispania Citerior and Ulterior (197 B.C.), Macedonia with Achæa (148 B.C.), and Africa (146 B.C.). The province of Asia was constituted in the year with which this period commences, 133 B.C.

and their endeavours to keep the plebeians from political power take up a large part of the history of the period. But with the Licinian laws of 367 B.C., which, among other provisions, enacted that one of the chief magistrates of the State must be of plebeian blood, a new aristocracy came into existence. The governing class now consisted partly of the old patrician houses, but still more largely of wealthy plebeian families who had fought their way to the great magistracies of the State. The criterion of nobility was now election to curule office (curule aedileship, praetorship, consulship), and the descendants of a citizen who had held one of these posts were admitted to the ranks of the aristocracy and regarded as justly entitled to a share in the spoils of government. The rise of a man from without was viewed with the utmost jealousy by this narrow circle of some three hundred families, and a "new man" (a *novus homo*, i.e. one belonging to a family which had heretofore held no curule office) was successful at the elections only when some national crisis stirred the voters against the ruling class. As time went on this exclusive spirit became more pronounced, and it was at its height in 133 B.C. It is thus evident how misplaced an epithet "republican" is to apply to the government of Rome; it was an oligarchy of the strictest kind, contrasting vividly with the genuine equality found at Athens, where thirty thousand citizens took part in the work of government.

§ 3. Vacancies in the Senate were filled by the censors,

The Senate.

but as custom had established the rule that those citizens who had held curule office were entitled to a seat, and as such citizens would amount to a large number in the course of five years—the usual interval between two censorial revisions (*lectiones*)—the censor had few additional places to fill. He might of course assign these to non-nobles—just as plebeians are found in the patrician Senate before the Licinian laws—but as a rule he would select senators from the oligarchy of which he himself was a member. Thus the Senate was completely in the hands of the governing class.

Since the commencement of the great wars the power of the Senate had grown continuously at the expense of the other factors in the constitution—the magistrates and the

popular assemblies. Originally the theory of the constitution was that authority rested primarily with the people, and was by the people delegated to the magistrates of its choice, while the Senate's functions were to assist in advising the magistrates. But this state of things had long since passed away. Ever since the time of the kings the power of the chief magistrate had been diminishing; unlike the king,

The Consul. the consul was elected for a limited period, so that

usually he was careful not to offend the body of which he would one day form a member, and which might retaliate upon him when he returned to a private station. Moreover, he had lost many of the duties which fell to the early consuls; he no longer acted as the supreme judge of the community, a function now filled by the *praetor urbanus*, neither did he draw up the census lists or fill up the vacant places among the senators and equites. In another magistracy, too, there had occurred a striking transformation in the interests of the ruling class. Originally the tribune of the plebs had been elected to protect the weak and poor members

The Tribune. of his order against the tyranny of the wealthy

and of the patrician magistrates. The codification of the law (449 B.C.), the repeal of the severe procedure in cases of debt, and the relief of the needy by colonisation had lessened the necessity for the tribunate, but the Senate, instead of abolishing the office altogether, preferred to utilise it for its own ends. The tribune was in some respects placed on an equality with the consul; and, like the consul, he acquired the right of convening the Senate and eventually of becoming a member of the House. By annexing the tribunate, the Senate could be confident that no distasteful measure would be carried in the Comitia Tributa, and if a tribune or consul seemed likely to prove troublesome, the Senate had only to secure one adherent among the Ten, and his veto would at once check any attempt at innovation. Most of the great laws passed between 200 B.C. and 133 B.C. were framed by the tribunes.*

* To the tribunes were due the *Lex Villia Annalis* (180), *Voconia* (169), *Orchia* (181); also the institution of permanent tribunals (*quaestiones perpetuae*, 149), the establishment of the ballot, the sale of corn at a low price to the people, and the foundation of twenty-three colonies. In 188 B.C. a tribune asked that Fundi, Formiae, and Arpinum should receive the full franchise.

Another weapon of the ruling class was the censorship, which was filled only by men who had previously held the consulship. It was therefore to all intents and purposes a co-optative office, like all the other curule magistracies. The censors had the duty of revising every five years the lists (*album*) of senators and equites, with the right

The Censor.

of erasing the name of any member whom they deemed unworthy. But generally they were too closely connected with the oligarchy to offend it by independent action. Cato in 184 B.C. ejected from the Senate a number of unworthy members and deprived many equites of their horses, but his action met with few imitators.

Simultaneously with this degradation of the magistrates, the popular assemblies—the *Comitia Tributa* and *Centuriata*—deteriorated in point of practical efficiency. This was the inevitable result of the extension of the Roman dominions. So long as the citizen body was concentrated within a few miles of the walls, and the only questions were such as the people could easily appreciate, as, for example, a declaration of war against the neighbouring Volscians or the repeal of an oppressive debt law, it was possible for the *Comitia* to represent the nation and to come to a sensible decision. But when the tribes became scattered far and wide over Italy the citizens could only come to the capital at rare intervals, and even had they been able to attend the *Comitia* with regularity, the growing complexity of Rome's relations with distant nations would have prevented them from directing the policy of their country. From 300 B.C. to 150 B.C. the Senate had little difficulty in controlling the *Comitia*; for though a series of enactments—the *Valerio-Horatian* laws of 449 B.C., the *Publilian* laws of 339 B.C., and the *Hortensian* law of 287 B.C.—had removed its veto on the resolutions of the centuries and tribes, the wealth and position of its members gave it so much influence over individual citizens, and the magistrates who presided over the *Comitia* were so completely its servants, that the popular assemblies rarely asserted their independence. Sometimes a wave of enthusiasm or indignation came over them, and popular candidates like C. Flaminius in 218 B.C., and Varro the year afterwards,

secured their election in spite of everything that the Senate could do. But as a rule they acquiesced in their impotence and allowed the Senate to rule. This was especially the case after the struggle with Hannibal, which had been conducted with undeniable skill and vigour by the oligarchy. The Comitia exercised an imaginary freedom in electing magistrates and passing laws, and even here the Senate had encroached so far, that its simple decrees (*senatus consulta*) came to possess equal validity with laws passed by the assemblies. But the power which the Senate wielded rested on no constitutional basis, and was so far insecure. It only needed some burning question to arise for the tribes to flock to Rome and declare their sovereign will. It only needed some resolute and incorruptible opponent to be elected to the tribunate, and so long as he was in office the Senate was powerless against his attacks: all that it could do was to set a fellow-magistrate to act against him.

§ 4. The authority of the Senate ranged over the whole field of government, from the control of the exchequer to the maintenance of religion and the conduct of negotiations with foreign kings and peoples. It held the keys of the treasury and determined what sums were to be paid out to the magistrates. Assisted by the censors, it controlled the domain land (*ager publicus*), and it imposed taxes and import dues. It directed the public worship of the State, exercising an unquestioned authority on all priests and sacerdotal officials; introduced, when it thought fit, foreign forms of ritual, such as that of the Phrygian Cybele, or, again, expelled false prophets and destroyed alleged sacred books. The famous case of the Bacchanalia is an instance of its unquestioned authority. In 186 B.C. the Senate found that the rites of Bacchus, introduced some time before from the East, were characterised by flagrant immorality. It at once issued the decree *De Bacchanalibus*, visiting with death all males who had participated in the ceremonies, handing over the female converts to the judgment of the family tribunal, and giving to the consuls and their officers the fullest powers to hunt out and punish the offenders. And this decree was enforced, not merely in Rome and the colonies, but in the municipia

Sphere of
the Senate's
Activity.

and allied states throughout Italy. In fact, the Senate never hesitated to enforce the hardest demands on the allies when public advantage rendered such a course expedient. Over the provincials it exercised an even less questioned authority, and formed (until 149 B.C.) the supreme court of appeal, before which complaints were laid against a governor. When war had been declared the Senate assigned the various commands to the magistrates, decided what forces were to be raised among the Romans and the allies, and what proportion was to be entrusted to each commander. All through the war it expected the general to obey its instructions, and when hostilities were over it meted out rewards and punishments—either in Rome, or by a commission sent to represent it abroad—and determined under what conditions treaties were to be made with friends and enemies. Finally, it claimed the power of temporarily superseding the Valeria Lex of 509 B.C., which secured to every citizen the right of appealing to the people against a sentence of death or scourging. By the formula, known as the ultimate decree (*senatus consultum ultimum*), it maintained that it could proclaim a state of martial law, during which the life of all was at its mercy. The democrats declared such a proceeding to be unconstitutional, but, as we shall see, it was practised more than once during the period.

§ 5. The magistrates, with an occasional increase of
 The number, continued to be the same as in the
 Magistrates. earlier republic. There were two consuls, who took the command in the field or presided in the Senate at home; six praetors, of whom two (the *praetor urbanus* and *praetor peregrinus*) acted as the chief legal authorities in the capital, while four more were sent out every year to administer some of the provinces; two censors for finance, the drawing up of the census lists, and the revision of the senatorial and equestrian bodies; four aediles (two curule and two plebeian) for police; eight quaestors, of whom two (*quaestores urbani*) supervised the revenue in Rome, two (*quaestores militares*) accompanied the army as paymasters to the troops, while four (*quaestores classici*) acted as intermediaries between the Senate and the allies, and collected

the harbour duties and domain rents in their respective districts.* Ten tribunes were annually elected as of old; but since the fiasco of 217 B.C., when Fabius and Minucius were appointed with equal powers, no dictator had been created. If the dictatorial power was needed at any crisis, the Senate passed the ultimate decree "let the consuls see to it that the State suffer no wrong" (*videant consules ne quid detrimenti respublica capiat*). As the dominions of Rome increased, pro-magistrates were appointed with growing frequency, until, as we shall see, in Sulla's time it became the practice for all consuls and praetors to have a second year of office as proconsuls and propraeors respectively.

To prevent any citizen becoming too powerful by a succession of magistracies—the greatest danger of an oligarchy—various laws were passed from time to time. Thus, in 342 B.C., it was enacted that no one should hold the same office again until after a period of ten years, and about 151 B.C. re-election to the consulship was forbidden. A more general law was the Lex Villia Annalis passed by Villius

Lex Villia
Annalis.

Tappulus, one of the tribunes for 180 B.C. It decreed (1) that no citizen was eligible to office unless he had served ten campaigns; (2) that election to the offices of quaestor, praetor, and consul must be successive (*i.e.* that election to the consulship was not valid unless the quaestorship and praetorship had been previously held); (3) that two clear years must elapse between the tenure of one office and the next. From this it followed, since no Roman could serve until he was at least seventeen years of age, that he could not be quaestor until twenty-eight, praetor until thirty-one, or consul until thirty-four. If, as was usual, the curule aedileship was filled between the quaestorship and the praetorship, the consulship would not be attained until the candidate was thirty-seven.†

* One, who was stationed at Ostia, the port of Rome, had among other duties charge of the corn supply of the capital; the second, at Cales, looked after the cities of Campania and Southern Italy; the third, at Ariminum, was responsible for the coast of the Adriatic; the fourth, who was not assigned to any particular district, perhaps acted as paymaster to a consul whose period of command was prolonged beyond the usual time.

† Custom seems to have varied at different dates. In Cicero's time a man could not be quaestor until he was thirty, praetor until forty, or consul until forty-three.

§ 6. The two great assemblies of the people continued to meet and vote, although by this time the younger *Comitia Tributa* had become the favourite instrument for legislation. The *Comitia Centuriata* chiefly assembled to give its sanction to a declaration of war, or to go through the form of electing consuls, censors, and praetors. By a change which must have been effected after 241 B.C., when the last of the thirty-five tribes was created, it was to some extent assimilated to the *Comitia Tributa*. There is no certainty as to the details, but the following explanation may be accepted as probable. It was organised on the basis of the tribes, the citizens in each of the thirty-five tribes being divided into five classes according to their property; and each class comprised one century of *seniores* and one of *iuniores*. Thus in each tribe there were ten centuries, and the reformed *Comitia Centuriata* consisted of three hundred and fifty centuries. In addition, the eighteen centuries of equites continued to exist, but their precedence in voting was abolished. The change was an improvement, in so far as it diminished that preponderance of the wealthy which characterised the Servian organisation. But all reform was of necessity ineffectual, as long as the voters were so completely under the control of the oligarchy.

§ 7. The process which caused the bulk of the citizens to become so hopelessly corrupt may be traced somewhat as follows. In the early republic agriculture was the backbone of the State; the Romans were a nation of small farmers, and men like Cincinnatus and Fabricius were, according to an oft-told story, called away from the plough to hold the highest offices in the State. Unfortunately this stalwart class, which had won so many victories for the republic against Pyrrhus and Hannibal, was now in danger of disappearing outright. The decay commenced with the Hannibalic war. It was upon the small farmers throughout Italy that the whole force of the Carthaginian attack fell. The yeomen were killed off by thousands, and those who survived were more familiar with war than with industrial pursuits. Many of these had not the means to replace lost stock and implements,

or to subsist until their farms could again be made productive. They therefore preferred to continue with the legions or to drift to the towns as the clients of wealthier men, rather than to eke out a laborious living on their devastated holdings. Those who still struggled to exist on their little farms found their environments almost unbearable. They had to contend against the importation of cheap corn from Egypt and the provinces. Still worse was the competition of the cheap labour of slaves, who, after the conquest of Greece and the East, were introduced in ever increasing numbers by the capitalists. Finally, they had to struggle against the grasping spirit of wealthy neighbours, who appropriated the public domains, and even seized by force or fraud the homesteads of the small agriculturists.

§ 8. The *ager publicus* was conquered territory which, on the defeat of an enemy, became the property of the Roman people. At the conclusion of a war, the land which had been won was disposed of in various ways: part was given back to the old possessors; * part was sold to replenish the treasury; † another part was occasionally distributed in allotments among citizens, mainly poor plebeians sent out from Rome as colonists. The best portions of the arable land thus passed under private control, but there still remained much pasturage and waste land. This was not allotted to individuals, but belonged to the State, and constituted the *ager publicus*. Any citizen might graze his cattle upon the pasturage, but for this privilege he had to pay a fixed due (*scriptura*) for each head of stock. Any citizen, again, might till the uncultivated land on payment of a tithe of the seed crops and a fifth of the oil or wine that it produced (*vectigal*). He could bequeath it or sell his rights in it, but it never became his property. It belonged in perpetuity to the State, which could eject the occupier (*possessor*, "squatter") without compensation, and resume possession whenever it desired. At an early date in the republican period, the wealthy (plebeians as well as patricians) got into their hands large tracts of public land. The reason of this accumulation is not far to seek. The

* *Ager redditus*.

† *Ager quaestorius*, because in later times it was sold by the quaestors.

land was situated far from the city, often on the borders of an enemy's country, and the poor farmer would care to risk neither his life nor his savings in working it. The wealthy Roman, on the other hand, could send out to it his clients, freedmen, and slaves, and gain much profit at little cost. From time to time agrarian laws were passed to deprive the rich of their monopoly. The first we hear of was one carried by Spurius Cassius in 486 B.C., but the details are so contradictory that the aim of his proposal is uncertain. The next was comprised in the Licinio-Sextian Rogations (367 B.C.), which provided that:—

(a) No citizen was to occupy more than five hundred acres of public land, or to keep more than one hundred oxen or five hundred sheep on the public pasture.

The Licinio-
Sextian
Rogations.

(b) A landlord was to employ a number of free labourers proportioned to that of his slaves engaged in agriculture.

But the recurrence of agrarian agitation a few years later shows that this legislation was not final. The one thing essential to a settlement of the question—the appointment of a standing commission with powers to enforce the law, and to distribute further acquisitions of conquered territory as they were made—was not done. A special law was needful for such distribution, and, as C. Flaminius found in 232 B.C., when he secured the allotment of the lands of the Senonian Gauls, could only be passed in the teeth of the strenuous opposition of the government. So the old evil revived, and the officers of the treasury, while conniving at the illegalities whereby their wealthy partisans obtained possession of the bulk of the land, suffered them also to evade payment of the lawful rent. The land was monopolised by the few, and, as time went on, it became to all intents and purposes the private property of the occupants. At the present date, it was difficult to say what was or what was not *ager publicus*. This much only was certain, that neither the treasury nor the mass of the population derived any benefit from it, but that its profits accrued entirely to a limited number of wealthy men, mostly indeed Romans, but including also not a few Italians.

§ 9. When the capitalist had secured a sufficient acreage of land, he converted his widely spreading fields (*latifundia*) into cattle runs and cultivated them by the labour of slaves. Naturally he preferred cattle-raising to agriculture. To grow crops requires continuous labour and some knowledge of the laws by which land is used to the uttermost, yet rather improved than exhausted. To rear cattle, on the other hand, needs nothing beyond wide acres and a few scattered herdsmen. Cattle-farming took the place of agriculture; where there were once fields and cottages, there were now only ranches and the isolated watch-huts of the slave herdsmen. It was cheaper to purchase many slaves than to hire one free labourer; the slave cost nothing but his starvation rations, the chain which fettered him, and the underground dungeon in which he lay like a beast at night. We obtain some glimpses of his lot from a treatise on agriculture written by Cato the Censor, so that Mommsen is perhaps justified in declaring that, compared with the misery of the Roman slaves, the sum of all negro suffering has been but a drop. War, while it drew off annually the best and strongest blood of Italy, poured into the slave market the nations from Spain to Syria. When Tiberius Gracchus the Elder pacified Sardinia, his army brought back so many captives that they were almost unsaleable and *Sardi venales* passed into a proverb. At Delos ten thousand slaves were sold in a day, and there were persons in Rome who counted their slave train (*familia*) by thousands. The demand was so great that the Roman merchants prosecuted their slave hunts on every frontier, and yet found it difficult to glut a mart in which the commodity, when purchased, was worth scarcely an effort to preserve. So the slaves drove the free labourers from the fields, and this happened not only to the Romans, but to every people in Italy. Depopulation grew apace in Apulia, Campania, and Samnium, but the case of Etruria was worst of all. In Sicily the slaves were so numerous that they were able, on two occasions during this period, to defy for some years the consular armies which were sent to reduce them to submission.

The Latifundia
and Slave
Labour.

§ 10. The evicted population of the country districts
 The Growth of the City
 Rabbles. flocked to the capital by thousands, until at the
 present date Rome was a city in which some two
 thousand persons held the monopoly of wealth,

while there was a countless rabble of dependent paupers, slowly starving into desperation. There was no artisan class to counterbalance the decay of the yeomen. The Roman citizen, no matter how poor he was, despised manual labour, and left it to slaves. As Rome became the mistress of the world, the citizen began to demand that he should be paid for governing it, and expected to get a share of the spoil from the oligarchy. He demanded "bread and games" from the candidates who solicited his suffrage, and as his vote was worth much to the ambitious men who desired office with all its distinction and profit, he got what he claimed. Of course, so far as was possible, the ruling class worked the machinery of government without taking any notice of its poorer neighbours; but it could not ignore them altogether, and it secured its position by bribing them. Foremost among the engines of corruption were the great festivals and games (*ludi*). In the old days, with the exception of the Latin Festival (*Feriae Latinae*), the Great Circus Games were the only ones officially recognised, and what other holidays the populace enjoyed were either such non-official vacations as the Saturnalia or the occasional *iustitia* attendant upon triumphs

Ludi.

and public thanksgivings. Others were added from time to time—the *Ludi Plebei* in 220 B.C., the *Cerealia*, *Ludi Apollinares*, and the *Megalesia* during the Second Punic War, and the *Floralia* in 173 B.C. All these were State festivals under the management of the praetor urbanus or the curule aediles; and were celebrated at the expense of the magistrate who presided over them. Fired with the same hope of securing votes, wealthy nobles who held no official position took to indulging the populace with games of their own.

In the middle of the third century B.C., the games began to be varied by gladiatorial combats. Originating, like the Roman drama, in Etruria, where the sacrifice of human beings was the customary mode of doing honour to the dead,

such combats were at Rome also confined at first to the games which were usually celebrated at the funeral of a citizen of rank ; but the taste for such exhibitions speedily became too strong to wait for the chance of a great man's obsequies, and before many years had elapsed no programme of a public show was deemed complete without its gladiatorial combat. By the side of such degrading spectacles as these brutalizing combats of men with men, the wild beast fights which were introduced in 186 B.C. were comparatively humane and elevating. The three continents were ransacked to furnish these shows, in which lions, panthers, elephants, and bears were pitted against each other ; and the noble who could bring into the arena some strange beast—a rhinoceros or tiger for instance—was sure of the popular favour.

Of similar character were the free gifts of grain, which
 Frumen- were to develop into a yet more formidable
 tationes. instrument of electioneering. At Rome, as at Athens, the government had always been held answerable for the provisioning of the city, and, from the government's point of view, this duty was much simplified by the establishment of a regular corn trade with foreign countries, however detrimental this might prove to the Italian farmer. At first, however, the government only undertook that there should be a sufficiency of corn at a reasonable rate ; but quite apart from the accidents of bad weather, there was rapidly growing up a population too poor even to pay a low price for it. To gratify these, wealthy men began to provide on their own account free gifts of grain—a form of largess hitherto reserved for the government only, and for very exceptional occasions of public festivity ; and these distributions became more and more frequent as the competition for office grew keener. There were already heard the claims for free doles of grain all the year round ; but it was left to Gaius Gracchus to do something to realise this demand, and thereby to complete the corruption of the city rabble.

§ 11. Side by side with this growth of the proletariat in the capital, a steady deterioration was going
 The Army. on in the army. Until the year 200 B.C., the wars in which Romans were engaged were undertaken

either to repel actual attack, or—what was essential to the security of Rome—to consolidate her rule in Italy. During these times, with the exception of a few critical moments when aid of any description was welcome, the legions were open only to those citizens who possessed a certain amount of property, and these, as Rome was an agricultural community, would chiefly be of the farmer class. War was not expected to interfere greatly with the cultivation of the land, for as a rule it lasted only for a few months in the year, certainly not through a series of years, and on the conclusion of each campaign the soldier was free to return to the cultivation of his farm. He did not expect to get much profit from the campaign, for the foes whom he met—whether Gauls, Samnites, the Greeks of Pyrrhus, or the Carthaginians of Hannibal—were sometimes more than a match for him in skill and endurance, and the chief result of conquest—the *ager publicus*—tended more to benefit the State than the individual. All these conditions changed when the scene of war was transferred from Italy to Greece and Asia. The yeomen, whose holdings had been wasted in the Hannibalic war, came to enlist gladly for lengthy service, especially as they had to encounter not a Pyrrhus or a Hannibal, but such men as Philip and Antiochus, with their ill-generalled, ill-disciplined, and unwieldy hordes, and there was abundance of booty to be won from the wealthy and defenceless cities of the East. When he returned to the capital at the end of several years, the soldier had lost all taste for the laborious and unexciting life of a farmer, and, even if he found land to cultivate, the chances were that he drifted back to Rome to lead a life of riot until another war called him out again. Still, matters would not have been so bad if the State could always have been certain of raising a sufficient army from its citizens; but the decay of the yeomen made recruiting a task of increasing difficulty, until at last Rome had to fight her battles by the help of aliens. The eighteen centuries of equites ceased to serve in the field, the cavalry now being provided by the allies, who were also called upon to furnish more foot-soldiers than Rome herself, and latterly even such foreign races as Numidians and Ligurians served in

considerable numbers under the Roman standard. Once it had been the boast and the security of Rome that her army was a citizen force; now it was on the way to becoming a mercenary horde composed of as miscellaneous materials as those which the Carthaginians had been wont to enrol.

§ 12. The city rabble was naturally in opposition to the government of the Senate; but it hated the
 Rome and her Subjects. Latins and allies still more, and was determined not to admit them to the franchise, a question which came into prominence about 150 B.C. Before attempting to define the position of the various communities of Italy, each of which belonged to a class with its own peculiar position with regard to Rome, it will be necessary to explain the nature of the Roman *civitas*.

Viewed from the standpoint of the Roman, every man was either a citizen (*civis*) or an alien (*peregrinus*), and each of these two great classes was further divided. The *cives* were subdivided into full citizens (*cives optimo iure*) and non-voting or passive citizens (*cives sine suffragio*), while the *peregrini* were either Latins (the *nomen Latinum*) or allies (*socii*). Now the citizen in the full sense of the word (*civis optimo iure*) enjoyed various rights (*iura*), some of which were private rights, while others were public rights. The citizen had, first, the right to inherit, acquire, and dispose of property with the aid and safeguards of Roman law; as a consequence of this he could maintain his right to the same in a court of law. Secondly, the citizen was entitled to marry and rear children with the same aids and safeguards. These two private rights were technically known respectively as *commercium* and *conubium*. Thirdly, the citizen had the right of voting (*ius suffragii*) in the public assemblies, at the making of laws and the election of magistrates. Fourthly, the citizen might attain public office himself (*ius honorum*). Fifthly, by the Valerian law of 509 B.C.* the citizen enjoyed the right of appeal (*ius provocacionis*) to the centuriate assembly against a magistrate's

* Extended or confirmed by the Valerio-Horatian laws of 449 B.C., which rendered it a criminal offence for any one to create a magistrate without the right of appeal, by the *Lex Valeria* of 300 B.C., which is supposed to have forced the dictator to grant an appeal, and the *Leges Porciae*, shortly after 200 B.C. C. Gracchus in 122 B.C. made Roman citizens, even in time of war, secure against a death-sentence.

sentence of capital or corporal punishment. These last were the three public rights. Any one who possessed part only of these rights was a *civis non optimo iure*, and as the three public rights were practically inseparable, a *civis sine suffragio* possessed the private rights only.

§ 13. The full citizens consisted first of the burgesses living in and around Rome; secondly, of the citizens who were sent out to the colonies established on the coast of Italy for the maintenance of Roman supremacy; thirdly, of the burgesses of communities like Tusculum and Arpinum, which had been admitted to all the rights and privileges of Roman citizens. All these were enrolled in the tribes according to the locality in which their property was situated: those who dwelt within the walls of Rome formed the four city tribes, named respectively the Suburana, Palatina, Esquilina, Collina; and there were seventeen old country tribes, named after the patrician gentes whose villages had once surrounded the capital.

These twenty-one tribes are found existing soon after the establishment of the republic, and, as conquests were made, others were added from time to time.* The number was finally raised to thirty-five in 241 B.C., but after this year it underwent no increase, and whenever the inhabitants of other parts of the country received the franchise, they were, no matter to what district they belonged, enrolled in one or other of these thirty-five tribes. Thus the tribes, which at first were strictly local, now comprehended a variety of townships in different parts of Italy.

When Rome had conquered a district, she was accustomed to send out colonies of the poorer citizens to every point which would serve as a convenient centre for securing her authority. The colonies were of two classes, Roman and Latin. Each was so far a model of Rome in that it was organised upon the Roman plan

* In 387 B.C. the Stellatina, Tromentina, Sabatina, Arniensis were enrolled in the territory of Veii and Capena; in 378 B.C. the Pomptina and Publina, around Circeii; in 323 B.C. (after the Great Latin War) the Maecia, in the territory of Lanuvium, and the Scaptia, around Gabii and Pedum; in 318 B.C. the Ufentina, on land taken from Privernum, and the Falernia, on the borders of Campania; in 299 B.C. the Adensia, on the upper Anio, and the Terentina, in Volscian territory near Arpinum; in 241 B.C. the Velina and Quirina, among the Sabines.

of government by a senate, popular assembly, and yearly magistrates; but whereas the members of a Roman colony were enrolled in the tribes and enjoyed the same full franchise which they had possessed in Rome, those of a Latin colony were entirely destitute of the public rights of the citizen. Roman colonies were formed, with few exceptions, upon the coast, while Latin colonies were sent usually into the interior; and lest the extension of the full franchise should be too rapid, the colonists in the former case were few in number and the Roman colonies themselves not many.*

§ 14. The non-voting or passive citizens consisted of the The Passive Citizens. burgesses of those towns which, like Caere and Capua, were on their submission to Rome presented with the partial franchise only. Such citizens possessed the private rights of the Roman citizen, but they were not enrolled in the tribes, and so could not come to Rome to vote or be themselves elected to office. But they possessed *commercium* and *conubium* with Rome; hence it was possible for them to settle at Rome and acquire property there; also if a Roman citizen married a woman who belonged to this inferior class, the offspring of the union took the father's rank. These partial citizens were liable to taxation just as were the full citizens, and they served by the side of the latter in the legions. The general name for a community of passive citizens was *municipium*, and it was so called because it had to bear the burdens (*munus, capere*) of full citizens without possessing their rights. *Municipia* of the best class managed their internal affairs in just the same way as the colonies did. They had a popular assembly to elect magistrates, a town council or senate selected in the first place from ex-magistrates, and magistrates bearing the title of dictators, aediles, and so

* The following list comprises the more important: Ostia, the port of Rome said to have been colonised in the regal period; Antium, wrested from the Volscians and colonised, 338; Satricum, permanently colonised also in 338; Tarracina, 329; Minturnae and Sinuessa, 295; Sena, among the Gauls, 289; Castrum Novum, at the mouth of the Salinello, 264; Alsium, in Etruria, 247; Fregennae, in Etruria, 245; Volturnum, Litemum, Salernum, and Puteoli, in the territory of Capua, 197; Sipontum, in Apulia, 194; Croto, Tempa, and Buxentum, in Bruttium and Lucania, 194; Pisaurum, in Umbria, 184; Parma and Mutina, in Gallia Cispadana, 183; Luna and Pisae, in Northern Etruria, 180; Lucea, in Etruria, 177; Auximum, in Picenum, 157.

forth. To this category belonged the Campanian towns of Capua, Cumae, Acerrae, Suessula, Atella, Calatia; the Auruncan Fundi and Formiae; the Volscian Privernum and Arpinum; the Samnite Allifae, with others. In all or most of these the Romans kept the administration of justice in their own hands, and every year the *praetor urbanus* sent out *praefecti iuri dicundo* to judge in the courts of law and to see that Roman citizens suffered no wrong. Sometimes, as a punishment for insubordination or disloyalty, the Romans deprived a *municipium* of all control over its internal affairs; it lost its senate, magistrates, and popular assembly, and became a mere agglomeration of *municipes*, who were governed by the magistrates of Rome. To this class belonged Caere, and after 211 B.C., Capua and Atella also, the degradation of these latter being the penalty they paid for joining Hannibal. Anagnia, which was deprived of all its magistrates except such as attended to the worship of the gods, was another instance of the less favoured *municipium*. But experience soon showed the Romans how important it was to conciliate the *municipes*, and gradually all the *municipia* were raised to full citizen rank. The first community to be so honoured were the Sabines, who, with a few exceptions, such as the inhabitants of Reate and Amiternum, acquired the rights of citizens in 268 B.C.; and in 241 B.C. their advance was completed by enrolment in the Velina and Quirina tribes. During the next hundred years the privilege was extended to the *municipia* between the Tiber and the Liris (*e.g.* Fundi, Formiae, and Arpinum, in 188 B.C.), and, as we shall see, in 90 and 89 B.C. to all *municipia* throughout Italy.

§ 15. The Latin colonies occupied a less dependent position. The oldest of these were the colonies founded jointly by the Romans, Latins, and Hernicans, in accordance with the treaty they made in the days of the early republic. After a time, when the Romans became more powerful than their two allies, they began to send out solely on their own initiative so-called Latin colonies, though the colonists must have consisted entirely or almost entirely of Roman citizens. This they did to avoid the too rapid growth of communities with

The Nomen
Latinum.

full citizen rights at a distance from Rome, for they regarded it as absurd to create citizens who were unable to discharge the primary duty of a citizen, *i.e.* to attend the meetings of the public assembly. Two of the earliest Latin colonies sent out by Rome were those of Sutrium and Nepete in Southern Etruria; after the dissolution of the Latin League in 338 B.C. they grew common, for now the conquests of Rome became extensive, and it was the duty of these colonies to protect the great military roads and ensure the subjection of the inland tribes of Italy. The colonists held the peculiar rights of the Latin franchise (*ius Latinum*), which did not comprise full citizen-rights—for those had never been enjoyed by the old Latins—but only *commercium* and *conubium*. Thus it was legally a degradation for a Roman to take part in a Latin colony, since he lost the most honourable of his rights, but the offer of lands and the prospect of attaining to eminence in their new homes tempted many to accept the change. Whenever a Latin colony was sent out, the original occupants of the town and district forfeited so much of their land as was necessary to provide allotments, and retained the rest as subjects, originally without legal rights, and when we hear of the revolt of a Latin colony we may generally understand that it was a rising of this lower class against their privileged and alien masters. The situation of the two classes much resembled that which at first existed between patricians and plebeians at Rome, and, as at Rome, length of time assimilated the one to the other, so that ultimately both came to possess the Latin rights. From the settlement of Latium to the foundation of Ariminum among the Gauls, seventeen Latin colonies, at least, were sent out; they are found among the Volscians, among the Marsi, in Campania, in Samnium, in Lucania, in Apulia, in Picenum, in Umbria, and among the Gauls. Central Italy was completely dominated by these miniature Romes, which guarded the frontiers, advanced as conquest advanced, and served as cities of refuge to all loyal to Rome. They were so strong that an enemy rarely assailed them with success, while he dared not, unless he had the genius of a Hannibal, pass on and leave them to

threaten his rear. They had proved the salvation of Rome in the Second Punic War.

These Latin colonies resembled the allied states in that they possessed the right of coinage, served, not in the legions, but in separate cohorts of their own, enjoyed their own laws, and controlled their own administration of justice. They differed from them in possessing *commercium* and *conubium* with Rome. This at least was the position of the earlier colonies,* but with the foundation of Ariminum in 268 B.C., the Romans began to curtail their privileges, and, in sending out further Latin colonies, refused them *conubium* altogether and limited their *commercium*. This they did because, now that they were masters of Italy, the citizenship was of great and ever increasing worth, and they did not intend that such a boon should be too easy of acquisition. Whereas previously a Latin colonist had been able to settle at Rome, he was now allowed to do so only if he had filled a public office in his colony. This peculiar charter was known as the *ius Ariminum*, and the colonies where it prevailed were known as the Twelve Colonies.† Their position became still worse after the Second Punic War; for whereas many of the communities in possession of the passive franchise were advanced to the full franchise, the Latins were so humiliated that few of the allies cared to exchange their own charter of federation for the once envied Latin rights. Occasionally it happened, as in 187 B.C., that Latins domiciled in the capital were summarily ejected and dismissed to their native towns without compensation or warning. Of similar tendency was the refusal of the Senate to establish any further Latin colonies; the series stopped with Aquileia (184 B.C.), and it was not until the time of Gracchus that any were created in the provinces. The result of all this was that the peninsula was parted

* The list of the more important founded between 338 and 268 is as follows: among the Volscians, Fregellae, 318; Interamna, 312; Sora, 307; the Insulae Pontinae, 313; among the Marsi, Alba, 303; among the Aequians, Carsoli, 298; in Campania, Cales, 334, Suessa Aurunca, 313, Cosa, 273; in Apulia, Luceria, 314, Venusia, 291; in Picenum, Hatria, 289; in Umbria, Narnia, 299; among the Gauls, Ariminum, 268.

† These were Ariminum 268, Beneventum 268, Firmum 264, Aesernia 263, Brundisium 244, Spolegium 242, Cremona 218, Placentia 218, Copia 193, Vibo Valentia 192, Bononia 189, Aquileia 184.

into two hostile camps, that of the citizens and that of the non-citizens.

§ 16. The allies (*socii*) possessed neither *commercium* nor

Socii. *conubium* with Rome, and their position differed

very materially, according to the treaties which they made when they entered into alliance with their conquerors. The best off were those communities which, entering into alliance of their own free-will, could claim to be treated with more than usual consideration. The main feature of their position was that, while they lost their independence in the matter of external politics, and were bound in technical language to have the same friends and the same enemies as Rome, they retained intact the administration of justice and the management of their municipal affairs. The chief burden imposed upon them was the obligation to assist Rome in war, and they had to send a contingent of horse and foot or ships and sailors. The character and exact amount of the aid expected from them was fixed in the treaty, and it was invariably a condition with the Greek cities that they should assist Rome in the matter of marine.

Among the *civitates foederatae* were Tibur and Praeneste in Latium, Neapolis in Campania, and Tarentum, Heraclea, and Rhegium, with most of the other Greek cities on the southern coast. In the same group came the Samnites, Lucanians, Marsi, Umbrians, Etruscans, etc., some of whom bore Roman rule with equanimity, while others, like the Samnites, were continually hoping for a chance to throw it off.

§ 17. It was not to be expected that the Italians would

Grievances of always acquiesce in their inferior position. Their
the Italians. grievances were many and various. In time of

war they were called upon to provide as many foot-soldiers and far more horse than the Romans. In spite of this they were not treated on equal terms with the citizens when land and booty were distributed. Generally they enjoyed the right of self-government, but it was always possible for this to be overridden by a law passed at Rome, or, as in the case of the Bacchanalia, even by a simple decree of the Senate. While the Roman citizen was secure from capital or corporal

punishment, an Italian, even though he had filled the highest offices in his native town, might be scourged, beheaded, and generally maltreated at the caprice of any Roman official. One or two incidents narrated by Gaius Gracchus, when he was proposing to give the Italians the franchise, will show how unlimited the power of the magistrates was. It happened that a Roman consul was once travelling with his wife to Teanum Sidicinum, and the lady was desirous of bathing in the public baths. The town officials did not attend to the matter with sufficient care and the baths were not cleaned; whereupon the consul caused the chief magistrate of Teanum to be stripped and scourged in the market-place of his own town. On another occasion a young Roman senator, who was entrusted with a public mission to the East, was journeying to Venusia in a litter with the blinds down, when a passer-by jestingly inquired of the driver if he had a corpse inside. The Roman replied to the insult by ordering the man to be bound to the pole of the litter and beaten until he died. Yet, in spite of such outbursts of arrogance as these, the Italians were in many respects satisfied with Roman rule. For the subject communities kept their local self-government, and their language and customs were not interfered with. All were bound to admit that, if it performed nothing else, Roman rule established peace in lieu of the perpetual conflicts which had previously been the bane of Italy. Tarentum was not permitted to quarrel with her Lucanian neighbours, and the Samnite no longer swept down in forays on the Greek cities of Campania. And Rome had shed her blood and spent her treasure in keeping Italy safe from foreign invasion. So powerful was the ruling city, and, in many respects, so prudent was her policy, that the Italians, before deciding their claims by an appeal, tried repeatedly to acquire the franchise by peaceful means. Partly, no doubt, this hesitation was due to the fact that their own communities were divided in sentiment. As elsewhere, the aims of the upper and lower classes were mutually opposed. The wealthy Italians had been allowed to share in the public lands of Rome, and so did not resent so keenly as the poorer classes the unjust pressure of military duties and the unfair division of spoil,

On the other hand, they eagerly desired the *ius honorum*, so that they might be admitted to the ranks of the aristocracy that was now ruling the world.

§ 18. Countries outside Italy were on their conquest reduced to provinces, the great distinction between which and Italy consisted in the fact that, while the Italians helped Rome to conquer the world, the provincials had never yet been entrusted with arms.

The *provincia** of a magistrate meant primarily the sphere in which his powers as such were exercised; hence its use to represent any portion of the Roman empire which was habitually committed to the control of a governor. By the laws of warfare everything which belonged to a conquered people passed by conquest into the hands of their victors. Theoretically then the entire area of a province belonged to the Romans; in practice only a small portion was taken over as public domain, to be leased to new occupants for the benefit of the State. By far the larger portion was left in the hands of its original possessors as tenants who paid to the State a certain rental (*stipendium*), usually equivalent to one-tenth of the annual income from such lands. Commonly such rental was taken in money, and was therefore a definite annual tax (*capitatio* and *tributum soli*); in the case of Sicily it was levied in kind (*decumae*). Such of the inhabitants as had no land were subject to a poll tax; and all were liable to custom dues (*vectigalia*), according to a regular scale, on products such as metals, marble, and salt.

As in Italy, the communities were of several ranks.

(1) *Coloniae*.—These were miniature Romes sent out into the provinces to form strategic positions whence Roman forces and Roman civilisation could be brought to bear on the province. (Transmarine colonisation only dates from the time of C. Gracchus, 122 B.C.)

(2) *Coloniae Latinae*.—These were such towns as possessed the rights of Latin citizens. The first extension of these rights to entire communities of provincials occurred in the case of Transpadane Gaul (p. 103).

* Said to be derived from *providentia*.

(3) *Civitates Foederatae*.^{*}—Cities such as had by their loyalty to Rome earned a definite *foedus* securing to them the exercise of their own laws and jurisdiction, and making them liable to the governor's interference only in cases of life and death affecting a Roman *civis*. They enjoyed almost complete independence in home affairs, but were bound to have no foreign policy save that dictated by Rome.

(4) *Civitates Liberae et Immunes*.—A small class of towns or states which, though not possessing the guarantee of a special *foedus*, yet enjoyed a position virtually equal to that of the foregoing. They were exempt from taxation and impost in any shape, and in name at least remained entirely independent.

(5) *Civitates Stipendiariae*.[†]—The mass of the provincial communities, non-privileged towns which paid tribute to Rome.

§ 19. The policy of Rome was to let the subject peoples govern themselves in the main, and thereby to save the cost of maintaining a large staff of officials amongst them. One governor and half-a-dozen minor officers sufficed for a kingdom. In return Rome took from the provincials only a sum—often smaller than that which they had paid to their own monarchs—sufficient to defray the cost of defending them, which duty now of course fell upon Rome. The Senate decided what troops were needful in each province, and fixed the sum necessary for their support to be paid out of the treasury. Some provinces were strongly garrisoned, others scarcely at all, and at the present date they were not asked to find troops for the Roman service. Each state kept its religion, its social customs, its laws and forms of local government; but the Romans gave it to be understood that they favoured a government modelled upon the Italian *municipium*—a local senate and annual executive officers—and there was consequently from the first a tendency among the provincial towns to conform to this common type.

^{*} Such were Athens and Sparta, Massilia and Gades.

[†] In illustration, the case of Sicily may be cited, where communities belonging to each of the last three classes are found. Messina is an instance of the *civitates foederatae*. Next to this favoured city were five *civitates liberae et immunes*—Centuripa, Alesa, Panormus, Segesta, and Halicyae. The rest, and the great majority, were *civitates stipendiariae*. There were neither Latin nor citizen colonies in Sicily.

The means whereby Rome maintained her acquisitions were simple but sufficient. Primarily, of course, there was the Roman army of occupation, or the threat of it, to prevent alike internal revolt and external insult. The latter was guarded against also by the elaborate system whereby outlying princes were made clients of Rome; petty sovereigns or states* lying upon the skirts of the Roman provinces purchased peace from Rome by becoming her allies; and such alliance forced them to defend Roman interests against all men, for while Rome alone was strong enough to help them in distress, she was strong enough also to revenge to the uttermost any remissness on the part of her clients. The latter, in fact, came to be Roman outposts, upon whom fell the risks and duties of guarding the frontiers.

Against internal disaffection the surest safeguard was the Roman policy of isolation—*Divide et impera*. There was to be no such thing as unity in the province, save in the common dependence of the whole upon Rome. The several communities of each province were taught to disown all connection with their neighbours, and there were often special enactments forbidding the intercourse of one township or district with another, whether in marriage or trade or inheritance, and any breach of such rule was sternly punished.† On the other hand, each community was taught that its hopes of receiving privilege and favour rested upon its individual merits, so that each became interested in showing itself more loyal than its fellows.

Finally, the great military roads by which each new province was at once opened up; the garrisons established at all needful points, growing up subsequently into Roman towns; the influx of Roman settlers to occupy the conquered lands; the still more far-reaching influx of Roman traders and money-lenders (*negotiatores*),—all these were so many additional elements in the safe keeping of the province.

* Thus in Africa there was Numidia; in Gaul, Massilia; in Asia, the kingdoms of Bithynia, Cappadocia, etc.

† Thus in Sicily the community of Centuripa was the only one which possessed *commercium* with Rome. The result was that its citizens bought up the land in every other district of the island.

§ 20. To each province was sent a governor, either consular or praetorian, to maintain the influence of Rome, to defend the country from foreign attack, to watch over the conduct and policy of the people, and to decide or remit to Rome for decision judicial cases involving loss of life or other serious points. He held his office for one year only, unless his command was prolonged by special decree, and during this time he was bound to make a complete circuit of his province for the purpose of doing justice. To this end there were selected certain important towns as centres of assize, whither the residents in the corresponding district must bring for judgment such cases as came within the cognisance of the governor. The assemblage of litigants to these centres was known as a *conventus*, and the term was subsequently extended, exactly as was the term *provincia*, to signify the district attached to such centre. A certain number and kind of cases remained in the jurisdiction of the local courts; but all such suits as involved a Roman citizen, or such as involved property exceeding a certain amount, were tried before the governor's court. If there were in the province any towns which could show a free and independent alliance with Rome, within such the governor had no jurisdiction. The governor chose his jurors from the citizens of the particular *conventus*; he possessed the power of life and death, excepting, of course, as regarded Roman citizens; and from his verdict there was no appeal. There were but two safeguards against abuse of power on his part apart from the moral safeguards of his own high character and sense of duty and justice—namely, the fact that a successor could reverse any act of the preceding governor, and that such abuse of power might afford a handle to subsequent impeachment at Rome.

The governor had no salary properly so called; but that he might have no reasonable excuse for plundering his subjects, the Senate made out for him an estimate of his expenses, and gave him an order for this amount upon the treasury. The estimate was usually liberal, and there was a special law forbidding the governor to buy anything in his province, from a natural dread that he might use his

power to obtain at his own price whatever he purchased. It was understood, however, that the governor should, when travelling, be provided at each halting-place with certain cheap necessities—fodder for his own horses, and salt for himself. But apart from the governor's power to make things unpleasant if he fancied himself treated with too little ceremony, it was inevitable that the provincials should seek to win his favour by costly presents. The visit of the governor was not a whit less expensive to a Roman provincial town, than to-day is the visit of royalty to one of our country towns, and it had the misfortune to recur at least once a year.

He was assisted by *legati* of his own choosing, proportionate to the extent of his province. Their duty was to aid him with their counsel in peace and war, and to divide with him the labour of administering justice.

His only other assistant was the quaestor, whose duties were solely financial, though in case of need he might be called upon to command in the field and to assist at the tribunals. He was charged with the superintendence of tax-collections, the payment of the governor and his *legati*, and in some degree with everything which concerned the finances of the provinces.

The governor was in fact a monarch. His power was virtually absolute while it lasted, for the Senate was far away and was content if no serious abuses came to its notice. There was every temptation for an unscrupulous and needy governor to rob his subjects, while they had no redress but to appeal to the Senate. Now the governor was himself almost always one of the senatorial oligarchy, and was therefore sure of as much protection as the Senate could decently accord. If he were impeached, he must be tried before a Senatorial court, where judge and jury had every reason to acquit him if possible, for each of them expected in his turn to be a governor and to receive the same indulgence. Nevertheless, good governors were not altogether wanting; and the provincials at least enjoyed peace and security. They had some protection, too, in the fact that many of them became

the clients of leading Roman nobles who were in duty bound to aid them in every possible way; so the Marcelli were the *patroni* of Sicily, and Gracchus was the *patronus* of many Spanish towns.

The tribunal to which the provincials looked for justice against their governors was a standing commission (*quaestio perpetua*) appointed by a Lex Calpurnia in 149 B.C., to investigate cases of extortion (*repetundae*) on the part of officials. Properly *repetundae pecuniae* denoted any claim made by a citizen for the restitution of moneys charged upon him in mistake by a magistrate, whence it came to apply to any act of extortion and corruption by those in authority. According to Livy, the first instance of a complaint made by an ally against a Roman official occurred in 173 B.C.; but as such accusations soon became numerous, the commissions appointed by the Senate to investigate the charge had so frequently to meet, that L. Calpurnius Piso, in 149 B.C., established a standing commission, which was the forerunner of many more relating to other offences.

§ 21. In point of fact it soon became a recognised maxim that the provincials were merely means to money-making. Each province was at its settlement ordered to pay a certain tribute (*stipendium*).

The Publicani and Negotiatores. In the case of Sicily this was paid mainly in kind, being the tithes of certain varieties of produce; but in the majority of cases it was a definite annual money payment, as in the case of Macedonia. Now, if the *stipendium* were in the form of tithes, its amount would vary according as the season was good or bad, and in any case its collection would be a matter of many complications and much delay. Accordingly, after C. Gracchus had, for political objects, allowed the taxes of Asia to be farmed, the government made no attempt to alter his policy; a company (*societas*) of wealthy Roman speculators would agree to pay yearly a stated sum to the treasury for a certain number of years, in turn collecting for their own purses the tithes of the province so farmed. If the season were good, they would make a profit; if it were bad, they would lose, unless they found means to recover from the provincials an unlawful amount. Here then was the excuse

for extortion; and from being the exception it rapidly came to be the rule. The government got its money without trouble from the contractors, who were almost invariably men of equestrian rank;* the latter sent their agents (*publicani*) into the provinces with orders to squeeze from the people whatever they dared. And this came to be whatever they could, for though in theory the provincials might bring an action against their oppressors, yet such a course was fraught with endless expense, probable disappointment, and certain reprisal in the future. The extortioner might be condemned, but very little of his spoils were refunded to the plundered; much more frequently he employed his spoils to secure his acquittal by bribery, and the suitor lost time and money alike; while the plunderer's companions in iniquity would be sure to make life a burden to the suitor for his temerity. Of course the governor had the power, and was in theory bound, to prevent the extortions of the *publicani*. Being himself of senatorial standing, he was in law supposed to have no trade-interests, and therefore to have no sympathy with the views of the speculating equites; but as a matter of fact he was often himself the holder of shares in some tax-farming *societas*; still more often he was bent on making money for himself out of his province; and he would therefore connive at oppression, either because he had a personal interest in it, or because he was guilty of similar cruelties himself. And even if he were the most honest and honourable of men, to attempt to check the malpractices of the *publicani* was fraught with grievous peril to himself; it was certain to result in an impeachment upon his return, and the wealthy equites would spare neither money nor conscience to secure the overthrow of one who set an example of justice and integrity so fatal to their interests.

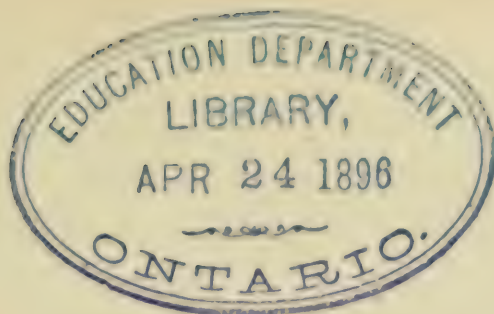
* By 133 B.C. the term equestrian order (*ordo equestris*) or knights (*equites*) had come to mean not only the eighteen centuries of horse, but also, with the exception of senators, all who were sufficiently wealthy to possess the property required for a member of these eighteen centuries, that is four hundred thousand sesterces. The eighteen centuries of horsemen existed now only as so many votes in the *Comitia*; they were no longer called upon for service in the field, and they only appeared in full armour once a year, when on the Ides of July they rode in procession in honour of the victory of Lake Regillus. As senators had by a *Lex Claudia* of 218 B.C. been forbidden to engage in trade, the whole of the financial operations of the State fell to these capitalists.

In those provinces of which the tribute was an annual money-payment there was less room for organised extortion, but even here the speculators found their profits. The payment of the tribute was sure sooner or later to bring one or other community into difficulties and arrears, particularly if the governors abused their powers and made exactions on their own account, as was usually the case. Thereupon the Roman money-lender came forward, offering money at ruinous interest, and when the community was once in his grasp, its case was hopeless. It had to submit to every injustice under threat of worse, and the cruelties practised by the lenders were incredible. In brief it came to this, that governor and speculator were in league; each condoned in the other the offences which he practised himself, while the home government, and the senators who sat as jurors in the *Quæstio de Repetundis*, refused to punish the misdeeds which each hoped to perpetrate in turn, when appointed to the governorship of a province. The treatment of the provinces was an abomination, resulting too frequently in the desolation of prosperous cities and fertile lands; and it was not until the days of Augustus that Rome gave to her foreign subjects anything better than utterest misrule.

§ 22. We have no detailed picture of the life of the Condition of the provincials in these early days of Rome's supremacy. It is not until the days when Verres outraged Sicily that the evils of the Roman rule are brought into full view; but from Verres' doings we can gather what his colleagues and his predecessors did, and we can understand how it came about that the very richest lands in Europe and Asia Minor and Africa could hardly support the reckless drain put upon them. To get a governorship was synonymous with getting a fortune; it was the one remedy for bankruptcy. "One-third to purchase my acquittal when tried for extortion, one-third to be shared with those who winked at my malversation, one-third—itself a fortune—to keep me wealthy for the rest of my days"—such was the dream and confession of the Roman noble who was not ashamed to allow that, with him at least, a governorship meant plunder and nothing else.

§ 23. There were then materials enough for revolution.

Summary. Within Rome, an entire population, to speak roughly, was living on charity, without the ability to remedy their position by constitutional means in the face of the well-organised power of the combined senatorial and equestrian orders. Without the walls, the mass of the subject-Italians were at length finding courage to propound their claim to some share in the advantages of an empire of which they had been the involuntary creators, and were still the best supporters. On all hands there was beggary, starvation, and lawlessness; fertile lands reverting to desolation, towns dwindling, and villages disappearing, a free populace making way for a population of slaves recruited by thousands from every race of the Mediterranean. The provinces were in the hands of a gang of unscrupulous politicians and speculators, who ravaged and harried without hindrance the unfortunate people at their mercy. Outwardly indeed the Roman world was at peace, but it was such a peace as in France preceded the great revolution. The Senate was too corrupt to offer an adequate resistance to all these elements of discontent. From time to time it crushed the agitators and regained its position, but the improvement was not permanent, and even the triumphant championship of Sulla, with which the period ends, could not secure it from ultimate fall. When the democratic leader found himself also general of an army the time of the Senate had come, and the rule of one man supplanted the misgovernment of the oligarchs.



CHAPTER II.

THE GRACCHI.

§ 1. Tiberius Sempronius Gracchus.—§ 2. His Reforms.—§ 3. Opposition offered to them; Octavius.—§ 4. Difficulties of Tiberius.—§ 5. The Fall of Tiberius.—§ 6. The Kingdom of Pergamus.—§ 7. The War with Aristonicus and Acquisition of Pergamus: The Province of Asia.—§ 8. The Italians and the Land Commission: Death of Scipio Aemilianus.—§ 9. The Italians demand the Franchise: Revolt of Fregellae.—§ 10. Gaius Sempronius Gracchus.—§ 11. Legislation of C. Gracchus: Corn Law; Agrarian Law; The Law Courts; The Taxes of Asia.—§ 12. Proposals about the Franchise: Counter-Proposals of M. Livius Drusus.—§ 13. Fall of C. Gracchus.—§ 14. Persecution of the Gracchans: Fate of the Land Laws; Corn Laws; the Iudicia; M. Aemilius Scaurus.

§ 1. THE father of the men who were to make the first serious attack on the prerogative of the oligarchs was Tiberius Sempronius Gracchus, whose greatest achievement was the pacification of Spain in 179 B.C. The elder Gracchus married Cornelia, daughter of the great Scipio Africanus, and, when he died in the prime of life, left in her charge two sons; the elder, now about thirty years of age, was Tiberius, and the younger was Gaius. The two lads were instructed by the best Greek teachers of the day, and early began to prepare themselves for a public career. The elder distinguished himself at the siege of Carthage, where he was among the first to mount the enemy's wall (146 B.C.); and nine years afterwards he served in Spain, where his word saved twenty thousand Roman soldiers from destruction. His sister was married to Scipio Aemilianus, the victor of Carthage and Numantia, and he himself had wedded the daughter of Appius Claudius Pulcher, a leading noble, consular and ex-censor. He was

thus connected with the most distinguished families in the State, and so justified the saying that the first leaders of a revolution always proceed from the ruling class. It seems that, as he was journeying through Etruria on his way to and from Spain, he observed how desolate was the country all around; though the soil was naturally fertile, there were no small holdings, and scarcely a free labourer or farmer to be seen; nothing met his eyes but overgrown estates of pasture land tended by thousands of foreign slaves in chains, while at Rome the citizens starved through the lack of work. The iniquity and folly of this state of affairs struck him with horror, and he tried to devise a remedy. He imagined that he had found one in a revival of the agrarian law passed more than two centuries previously by C. Licinius Stolo and L. Sextius.

§ 2. His ideas of reform were not altogether new.

Proposals of C. Laelius, the dearest friend of Scipio Aemilius, had only abandoned similar ideas because he saw that revolution would ensue, a prudent policy which is said to have earned for him the name of Sapiens. Tib. Gracchus. Tiberius was of sterner material; he saw that the depopulation of Italy which threatened to leave Rome without the materials of an army, while it filled her streets with beggars, was due to the misappropriation of the public lands and the spread of slave labour; and he resolved to reinforce the Licinian Rogations, which, though long since a dead letter, had never been repealed. Among the fragments of his speeches which occur in the narrative of Plutarch, there is the following oft-quoted passage: "The wild beasts of Italy have their holes and dens, but the men who shed their blood for their country have the enjoyment of air and light indeed, but of nothing else. Without house or resting-place they wander about with their wives and children, while their generals exhort them in battle to defend their towns and temples against the enemy. The 'lords of the world,' as they are called, have not a single clod of earth to call their own." *

The people warmly supported Gracchus, and he found many among the senators who saw the necessity of reform;

* Plutarch, *Tiberius Gracchus*, ch. ix.

such were Appius Claudius Pulcher, P. Licinius Crassus Muricianus, afterwards Pontifex Maximus, and P. Mucius Scaevola, the best lawyer in Rome and consul for the year. Thus encouraged, Tiberius brought before the Comitia the following proposals:—

(a) That no person should occupy more than five hundred *iugera* of public land, with two hundred and fifty extra for each son; and that the total amount so occupied by one family should not exceed one thousand *iugera*.

(b) That all land thus recovered should be distributed at a small rent to the poor (Italians equally with Romans) in lots of thirty *iugera*, which were to be inalienable and hereditary.

(c) That a certain proportion of free labourers should be employed on all estates.

(d) That the redistribution of land should be managed by a standing commission of three, specially appointed and maintained by the State.

§ 3. The bill attacked the entire wealthy class of Rome and of Italy, just as it offered relief to the Tiberius and Octavius. whole of the pauper population, for in the colonies, municipia, and allied communities alike, the rich had both seized on the public land and ousted the small farmers from their holdings. All the rich were therefore in arms against the measure. They urged that it was unjust to confiscate to the State the improvements that they had made on the land; they had built houses, planted vines and olives, and turned it from mere waste soil into highly productive ground; some parts of it they had received by bequest, others they had bought from previous occupiers. In reply it was urged that the land belonged to the State, and that they occupied it on conditions that were perfectly well known to themselves; and besides this, even if some injustice was done to the wealthy, the condition of the poor was so terrible a menace to the stability of the State that some reform was imperative. Tiberius therefore went on, in spite of the opposition he encountered; he found it hopeless to win over the Senate, so he did not lay the proposals before that body, as was customary, but

followed the example of his predecessor C. Flaminius in 232 B.C., and brought his bill directly before the tribes. All the poor voters in the country tribes were enthusiastic in their support, and, abandoning their wonted apathy, flocked to Rome in immense numbers to carry the proposal into law. When the day of voting came, a fellow tribune, M. Octavius, who occupied some public land, vetoed the bill. Tiberius offered to indemnify him out of his private means, but Octavius persisted in his veto. Up to this point, it appears Tiberius had included some sort of compensation in his bill; now, irritated by the attitude of Octavius, he withdrew these indemnity clauses and proposed the law in a less conciliatory form. No vote could be taken. Tiberius retaliated by using his powers of veto against every act of the magistrates, until the tribes could be summoned anew. He sealed up the temple of Saturn, where was the public treasury, and refused to permit the quaestors to take out or pay in money. Meanwhile the occupiers went about in sordid garments, to excite pity for their case, and also made an attempt on the life of Tiberius. When the tribes assembled a second time, Octavius vetoed the bill again. Then Tiberius did an unconstitutional thing: he asked the tribes if they would depose Octavius. When seventeen of the thirty-five had decided in the affirmative, Tiberius made a last appeal to Octavius to abandon his opposition. Octavius refused; the eighteenth tribe voted for his deposition, and he was dragged down from the orator's platform. Whatever may be thought of the wisdom of this proceeding, it was undoubtedly a violation of the constitution. Again and again in the course of Roman history it had been decided that no magistrate could be brought to trial until his year of office had expired; that over, he became a private citizen, but until then he was inviolable, no matter if he had committed the enormities of an Appius Claudius. After the deposition of Octavius the bill was again put to the vote and carried, and as commissioners to execute it were appointed Tiberius himself, his brother Gaius (at the moment serving in Spain), and his father-in-law Appius Claudius.

§ 4. The Senate was beaten, but for the time contented itself with obstruction. Tiberius' term of office would expire soon (Dec. 10th), and then it would be possible to impeach him; for although no law had been passed about the matter, it was contrary to precedent that a tribune should be re-elected for the ensuing year. Meantime the Senate voted the commissioners no adequate supplies, and watched the difficulties that beset them. It was difficult to determine what lands were public and what were not. Everywhere there were endless disputes. Those against whom judgment went, very many of them wealthy Italian *socii*, swelled the ranks of the opposition. Nevertheless the allotments began.

Tiberius felt that his opponents were too powerful for him, and made fresh bids for popular support. Just at this time died Attalus III., the last king of Pergamum, bequeathing his dominions to the Roman State. Tiberius gave notice of a bill to devote the funds so acquired to providing the new settlers with stock for their farms. Next he talked of extending the franchise to the Italians, of shortening the period of military service, of weakening the power of the Senate in the jury courts by compelling them to share their monopoly with the equestrian order. In this way he hoped to win his re-election as tribune for 132 B.C., which he saw was the only safeguard between himself and ruin. As tribune he would be protected against impeachment, whereas in a private station he was not secure even against assassination. Many of the senators were bitterly hostile. One—Q. Pompeius—accused him of aiming at tyranny, and declared that he had been presented with a rega *Idiadem* from the treasures of Attalus. Q. Metellus, the conqueror of Macedonia, attacked him because he was attended at night by an unruly mob of the poorest classes; and T. Annius Luscus, another ex-consul, flung in his teeth the deposition of Octavius. The Senate was resolved at all costs to prevent his re-election.

§ 5. It was now harvest-time, and the country voters were too busily engaged in gathering their crops to undertake the journey to the capital. Besides, the agrarian bill had passed and there no longer existed the same potent cause which had aroused

Dangerous
Position of
Tiberius.

Fall of
Tiberius,
130 B.C.

them the year before. Tiberius was assiduous in his canvass of the city tribes, and when the day of voting came, the first two tribes cast their votes for him. His opponents hereupon raised the objection that a man could not be tribune for two consecutive years, and the presiding officer (the ex-tribune Rubrius) hesitated as to whether he should accept the votes given to Tiberius. Rubrius offered to resign his duty to a colleague, who was a partisan of Tiberius, but the senatorial party opposed and the people broke up in confusion without completing the election. That evening Tiberius put on a garb of mourning in token of the great danger by which he was threatened, and some of his more devoted followers kept guard round his house during the night. But his enemies reserved their violence for the morrow, when the voting was resumed on the Capitol. Both parties were ready to use force, and when the senatorial faction prevented the tribes from voting, the followers of Tiberius, seeing that a conflict was inevitable, seized such weapons as they could lay hands upon and closed round their leader. Meantime the Senate was assembled in the neighbouring Temple of Faith. The Pontifex Maximus, P. Cornelius Scipio Nasica, delivered a furious harangue against Gracchus, and called upon the consul, P. Mucius Scaevola, to save the State. Scaevola had once, at least, been in favour of the plan of Gracchus, and declared that he would not shed a citizen's blood; whereupon Nasica exclaimed that the State was deserted by its guardians: he would defend it himself. Followed by many senators and equites and a miscellaneous crowd of clients and slaves, he led them down to the place where Tiberius was standing with three thousand of his followers. Their rush swept all before it; the followers of Tiberius were put to flight, and Tiberius himself was struck down and killed as he endeavoured to make his escape. Three hundred of his partisans perished and their bodies were flung into the Tiber. The vengeance of the Senate did not rest here; for a commission, which was appointed to inquire into the disturbances, condemned many others to death. Among those tried was C. Blossius of Cumae, the Greek teacher and devoted friend of Tiberius. He declared that

he did all that he had done because he placed implicit confidence in Tiberius. Asked whether he would have set fire to the Capitol if he had been ordered to do so by Tiberius, he replied that "Gracchus would never have given him such an order, but that, if he had, he would have obeyed without hesitation." Ultimately Blossius was released, and retired to Asia, where he perished. The people were bitterly indignant at the fate of their leader, and, so far as they could, took vengeance on his enemies. P. Scipio Nasica found his position so intolerable in Rome that he was glad to accept a mission to Asia, where he wandered about in disgrace and obscurity until his death. Scipio Aemilianus, whose warlike achievements had won for him general popularity, aroused extreme resentment when it was known that he approved of his kinsman's death. He was at Numantia when the news reached him, and his comment was a verse of Homer to the effect, "So perish all who do the like again."* The tribes showed their indignation by rejecting him when a general was required in Asia to defeat the pretender Aristonicus.

§ 6. The Asiatic conquests of Alexander from the Aegean Sea to the Persian Gulf, became some twenty years after his death the Syrian Empire of the Seleucidae. But this vast extent of country, inhabited by so many diverse nationalities, could only be held together by the strongest will, and thus the Seleucid Empire soon split up into a number of states more or less independent of the central power and of each other. The chief of these were the kingdoms of Bithynia, Cappadocia, Pontus, and Armenia. Galatia received its name from a wandering horde of Gauls who settled there in 279 B.C., after ravaging the country far and wide in their march from Western Europe. On the eastern coast of the Aegean the Greek trading cities still flourished after a chequered history of six centuries, and formed a commercial confederation under the headship of their most powerful member, Rhodes. In the same region there also sprang up the compact and wealthy kingdom of Pergamus, which, left by will to the

The Kingdom
of Pergamus.

* ὡς ἀπολοιτο καὶ ἄλλος, ὁ τις τοιαῦτά γε βροῦσι.

Roman people in 133 B.C., was organised four years later as the Province of Asia.

This principality originated in the following manner: When the Gauls swept over Asia (279 B.C.), one Philetaerus, who had charge of the fortress of Pergamus, took advantage of the general confusion to revolt from the Seleucid monarchy, on which he had till then been in dependence. His power passed in 262 B.C. to his nephew, Eumenes I., and to the latter succeeded (241 B.C.) a cousin, Attalus I., who assumed the title of king in commemoration of a great victory which he won over the Gauls. He rendered assistance to the Romans in the First Macedonian War, and his son Eumenes II. (197-159 B.C.) pursued the same policy. As a reward for his services in the war against Antiochus the Great of Syria, Eumenes received a great portion of the western seaboard of Asia Minor, besides some towns on the European side of the Hellespont. The Romans treated him with some ingratitude after the fall of Perseus (167 B.C.), but did not go so far as to take away what had been conferred upon him, and he handed down his power intact to his son Attalus II. (159-138 B.C.). The last of the dynasty was Attalus III. (138-133 B.C.), who died without a legitimate heir; and a will, purporting to be his, but more likely forged by the Roman party in Asia, bequeathed his possessions to Rome.

§ 7. The death of Attalus III. occurred when a slave war ^{Acquisition of} in Sicily was in full swing, and when the ^{Pergamus.} proposals of Tiberius Gracchus were agitating the State. The Senate was much too busy to attend to foreign affairs, and while it tarried, Aristonicus, a natural son of Attalus III., appeared as a claimant for the throne. The majority of the population, no doubt, preferred him to a foreign ruler, and he met with considerable support, though in several of the great towns, notably in Ephesus, there was a very strong Roman party. His first action was to seize Leucæ, a coast town near the mouth of the Hermus; but the Ephesians collected a fleet, and, after defeating him near Cyne, drove him out. Next year (132 B.C.) he called the slaves to arms, and made himself master of Samos and much of the continent opposite. The Senate now determined to send an armed force to Asia. Both consuls were eager

for the command. One of them was P. Licinius Crassus Mucianus, who had been made Pontifex Maximus after the compulsory retirement of Scipio Nasica; the other was L. Valerius Flaccus. The latter was the Flamen of Mars, who was under the authority of the Pontifex Maximus. Crassus declared that it was illegal for Flaccus to leave the city, and declared that he would fine him if he did so. The people remitted the fine, but when the tribes had to decide whether they should give the command to Scipio Aemilianus or to Crassus, they voted in favour of the man who had no military experience, but had been a supporter of their champion Tiberius Gracchus. In Asia Crassus was joined by contingents from Nicomedes, king of Bithynia, Ariarathes, king of Cappadocia, Pylæmenes, king of Paphlagonia, and Mithradates, king of Pontus, but the year passed away without any results of importance. Next year (131 B.C.), when encumbered by a quantity of booty, he was surprised and defeated by Aristonicus, not far from Myrina. To escape being carried away into slavery he drove his riding stick into the eye of one of his capturers, and the man, a Thracian, maddened by the pain, did what the Roman hoped, and plunged his sword into the ex-consul's body. His successor, the consul M. Perpenna, revenged the defeat, drove the pretender southwards, and blockaded him in Stratonicea, a Carian town, where he forced him to surrender (130 B.C.). Here C. Blossius, the friend of Tiberius Gracchus, slew himself to escape falling into the hands of the Romans. The conquest was completed by M. Aquillius, consul for 129 B.C., who, in conjunction with a commission of senators, settled the affairs of the country. Now was constituted the Province of Asia, which comprised Mysia with the Aeolic towns, as far as the mountain range of Olympus, Lydia and the Ionic towns, and most of Caria with the Dorian towns. The southern part of Caria was probably attached to Rhodes. The towns on the European side of the Hellespont, which had belonged to Pergamus, were placed under the orders of the governor of Macedonia. Phrygia went to the king of Pontus, Mithradates V., surnamed Euergetes, in requital for the help he had sent. But when he died in 120 B.C., this district was taken back

and added to Asia, which was, and always remained, the richest of the provinces. Despite the exactions of Roman governors, tax-gatherers, and money-lenders, and the devastations caused by the Mithradatic wars, the Greek cities continued to thrive, as they had done under a succession of foreign masters.

The Province
of Asia,
129 B.C.

The Italians
and the Land
Commission.

§ 8. Although Tiberius was dead, his work had not been in vain. His place as land commissioner was taken by P. Licinius Crassus Mucianus, who, as above related, fell in Asia 131 B.C., and about the same time died another commissioner, Appius Claudius. The two vacancies were filled by M. Fulvius Flaccus and C. Papirius Carbo. Carbo, who was tribune in 131 B.C., signalised his tenure of his office by the passing of some popular measures. The most famous of these was a *Lex Tabellaria*, or ballot bill, which enacted that there should be secret voting in the case of enacting or repealing a law,* but was not successful in his attempt to make it legal for the same man to be elected tribune for a number of consecutive years. This was the principle which Tiberius Gracchus had endeavoured to force upon the people by his action, and to the non-acceptance of which his fall was largely due. Laelius, Scipio's friend, spoke against the motion, but with far less energy than Scipio himself, whose influence ultimately secured its rejection. At one of the mass meetings held to discuss the measure, Carbo tried to bring upon Scipio the hatred of the people by asking him what he thought about the death of Gracchus: Scipio replied that he approved of it. The answer called forth a storm of angry cries from the crowd, but Scipio sternly bade them be quiet: he had never been terrified by the shouts of the enemy on the field of battle, and was he likely to care for the senseless clamour of liberated slaves - not sons but stepsons of Italy?†

The commission, now consisting of C. Gracchus, Carbo, and Fulvius, went on steadily with the work of allotting

* To check the intimidation of the voters by the nobles, the ballot had been established in the case of elections by a *Lex Gabinia*, 139 B.C., and in all trials before the people (except for *perduellio*, or treason) by a *Lex Cassia*, 137 B.C. A *Lex Caelia* in 107 B.C. made the ballot compulsory also in trials for *perduellio*.

† Hostium, inquit, armatorum toties clamore non territus qui possum vestro moveri, quoniam noverem est Italia? (*Fellens Paternulus*, ii. 4).

land. The difficulties against which they had to contend were many and great, but they achieved remarkable results, for during the next decade the census showed an increase of seventy-six thousand citizens, most of whom must have owed their status to the new law.* About 129 B.C. the wealthy Italians, with whose tenure the commission was now interfering, broke out into protest and declared that their property was being confiscated. On the other hand, the poorer members of the Latin and Italian towns saw in the change relief from the poverty by which they were crushed, and were eager that the laws should be enforced. There was tumult and excitement from one end of Italy to the other, and at length both parties, coming to the capital, called on Scipio Aemilianus, the most powerful of the citizens, to decide between them. Scipio, who was every day becoming more and more closely identified with the oligarchy, declared in favour of the wealthy Italians; and secured a decree of the people, which transferred the hearing of all suits bearing upon the distribution from the land commission to the consul C. Sempronius Tuditanus, and as the latter soon left the capital to conduct a campaign against the Iapydes, a piratical tribe of Illyricum, the distribution came to an end. The people were only the more embittered against the man, whom, as they said, they had elected to the consulship, before his age legally qualified him for the office. But any collision was averted by his death. One day, after delivering a great speech in the Senate, in which he declaimed bitterly against the ingratitude of a section of the people, he returned home escorted, as a signal mark of honour, by the whole body of senators and a great multitude of Latins and allies. Next morning he was found dead in bed. Later generations accused his chief opponent, Carbo, of murdering him, but there seems no valid reason for supposing that he met with foul play. Appian says that there were no signs of violence on the body; his writing materials were placed by the side of his bed, as though he intended

Death of Scipio
Aemilianus,
129 B.C.

* Hume however asks how the allotment of lands to poor citizens could increase the numbers on the census lists, seeing that they would be enrolled without regard to the extent of their property, and connects the increase with the rising of Fregellæ in 125 B.C., and consequent extension of citizenship by the Romans.

to make notes for a coming speech. So perished the conqueror of Carthage and Numantia, aged 56, in the winter of 129 B.C. By birth he was the son of L. Aemilius Paulus, the conqueror of Macedonia, but he was adopted by the childless P. Cornelius Scipio, whose name he took, together with an agnomen derived from the gens of his real father—in full P. Cornelius Scipio Aemilianus. He was a successful if not a great general, an orator of such eloquence that his speeches were regarded as masterpieces by Cicero and the Romans of later times, and a generous patron of literature. He gathered round him men of such various talents as Terence, the comedian, Panaetius, the philosopher, Polybius, the historian, and Lucilius, the satirist; and among his friends he numbered the noblest Romans of the age. In his political life he showed himself absolutely untainted by corruption. Whether he could have carried through the reforms which were needful to the stability of the State may be doubted, but that he saw their necessity is beyond question; but he saw also that their passage might upset the government, and he preferred the continuance of actual evils, whose magnitude he knew, to the introduction of others, the character of which he could only dimly perceive.

• § 9. The bitterness which had for generations prevailed between the Romans and their Italian subjects became at this point a new element of political discord; for the latter now demanded the franchise. The Romans, the starving proletariat almost as much as the noble and wealthy, were jealous of their own special privileges, and resolved to keep them. There was always in Rome a great number of Italians, who, at the elections and other times of political excitement, mingled with the citizens and caused great disturbances, even if they did not go so far as to vote on false pretences. So much confusion did they cause, that in 126 B.C. a tribune, M. Junius Pennus, brought in a bill that all non-Romans should be expelled from the capital.* The proposal was carried, although

The Italians
demand the
Franchise.

* The first alien bill on record belongs to the year 177 B.C. In this case, however, the initiative came from the Latins and allies, who complained that all their citizens were migrating to Rome, and that if this process went on much longer, they would be unable to furnish their contingent of troops for the Roman armies.

C. Gracchus, now a quaestor, spoke against it; but in the following year, M. Fulvius Flaccus, one of the consuls, retorted by proposing "that any Latin or Italian ally should be allowed to ask for the Roman franchise and to get a vote of the Comitia on his request." * Flaccus hoped that the proposal would tempt the wealthy Italians to abandon their opposition to the land distribution; but in this he was disappointed. He received little support from the party which he claimed to lead. Carbo had by this time turned renegade and gone over to the Senate. C. Gracchus was absent in Sardinia, where he was busily engaged in suppressing the disaffection of the natives. The proposal was defeated without much trouble, and its author prudently removed by being dispatched into Gaul to carry on war against the Salluvii. But its rejection was attended by serious consequences; for the town of Fregellae on the Liris, one of the most important of the Latin colonies, rose in arms to obtain satisfaction by force. Fortunately for Rome there was dissension among the insurgents themselves, and the Social War, which was bound to come sooner or later, was postponed for some thirty years. Fregellae was betrayed, rased to the ground, and its place taken by a new citizen colony at Fabrateria. So speedy and decisive a punishment checked whatever disaffection there was. For a space the question of enfranchising the Italian slept, but a fresh and formidable agitator was now on the scene, one who for some months was virtually monarch of Rome.

Revolt of
Fregellae,
125 B.C.

§ 10. This was C. Sempronius Gracchus, the younger brother of Tiberius, already conspicuous as one of the commissioners under Tiberius' law. Nine years younger than his brother, and like him full of designs for reforming the State, Gaius had no need to hunt for popularity. He had served in Spain under Scipio in 133 B.C., and had been quaestor to L. Aurelius Orestes in Sardinia (126 B.C.). The Senate is said to have feared that Gaius would seek the tribunate, and continued Orestes in his government, so that his quaestor might be

* So the law is stated by Mommsen, but there is much uncertainty as to its precise purport.

prevented from coming to Rome. Gaius acquiesced for one year, but on a further prolongation of his superior's command, quitted the province without leave (124 B.C.). The Senate impeached him for this irregularity, and also for complicity in the revolt of Fregellae. What truth there was in the allegation we do not know, but Gaius was acquitted and elected fourth on the list of tribunes for 123 B.C. All men knew that he was going to resume his brother's work.

Ever since the death of Tiberius, C. Gracchus had steadily directed his purpose to avenging his brother's fall. His mother, Cornelia, urged him to withdraw from political life, at least until her own death, but natural affection and the enthusiastic devotion of his followers drew him on until he was too deeply committed to retire. "My brother was beaten to death with staves and his body cast into the Tiber; his friends were murdered without trial," was the tenor of a speech delivered in his tribunate, and his burning words struck terror into the hearts of his enemies and roused the democrats to fresh action. In many respects he was immeasurably the superior of his brother; as an orator he was as vehement as his brother was calm, and his impassioned words excited his audience to tears or frenzy, as he pleased. As a politician, he showed a remarkable appreciation of the forces at work in the State, and for long he directed them at his will. While his brother made it his chief aim to ameliorate the lot of the poorer citizens, and was only a political reformer by accident, Gaius from the first set himself deliberately to the task of overthrowing or crippling the oligarchy which misgoverned the State.

§ 11. Ten years after his brother's death, Gaius began to bring forward a series of measures calculated to win the support of the various classes whose grievances demanded redress. The order in which each proposal was introduced is not known, nor again can we be sure of their precise date, for Gracchus was elected to a second tribunate in 122 B.C., and was, doubtless, during all this time pressing forward and developing his schemes. Among his first measures was a *Lex Frumentaria*,* decreeing

Legislation of C. Gracchus, 123, 122 B.C.
 Et senis et triente (3½ asses per modius) frumentum plebi daretur (Livy *Epitoma*, 60).

that the State should provide corn once a month to all citizens at a price less than half of its market value.

Corn Law. There had previously been irregular distributions of cheap corn, and the government had always undertaken the provisioning of the capital, but Gracchus went a step further, in order to win the support of the proletariat. He succeeded in his aim, but the legislation was fraught with the most pernicious consequences, for not only did it demoralise the existing population of the capital, but it accelerated the drain of the country districts by teaching the poorest of their members to flock to Rome, where bread was to be had for the asking. A second measure was a *Lex*

Agrarian Law. *Agraria*, renewing his brother's law and rehabilitating the land commission. Judging from the slight increase of numbers exhibited by the succeeding census, it was not actively enforced, probably because most of the available *ager publicus* (except that of Capua) was already distributed. Gracchus, in fact, seems to have proposed it rather as a tribute to his brother's memory than because he desired to reopen the question of allotments. It may, however, have had some bearing upon the schemes of colonisation which he carried in his second tribunate, and which are remarkable as leading the way to that colonisa-

Colonies. tion beyond the sea which afterwards became a recognised feature of the democratic programme, and was carried out extensively under the empire. For, in addition to relieving the distress in Rome by establishing colonies at Capua, Tarentum, Scyllacium, Poseidonia, and elsewhere in Italy, he carried a law decreeing another at Carthage, which was to include poor Italians. The last of his social reforms which needs mention was a series of changes intended to benefit citizens on service. No one was to be called out for military service except between the ages of seventeen and forty-five, a regulation already in existence, but often disregarded. A foot-soldier was to be free from liability to further service as soon as he had served sixteen campaigns, and a horse-soldier when he had served ten; the soldier's clothing was henceforth to be found in addition to his pay, and all citizens on service were to have the right of appeal from an officer's capital sentence.

But of far deeper significance was a law relating to the permanent commissions. Gaius had secured the vote of the proletariat by his corn-law, but he saw that some firmer support was necessary. Accordingly he destroyed the union which had previously existed between the Senate and the equites, by enacting that, in addition to the existing *quaestio de repetundis*, others should be established, for trying cases of poisoning and murder, and that the jurymen in all these courts should be chosen, not as previously from senators, but from the equestrian order.* Thus the control of the law courts was taken from the governing class and handed over to the class of merchants and money-lenders. In other words, the equites were bribed to take Gaius' side by the prospect of plundering the provinces; for if any senatorial governor endeavoured to prevent their extortion he did so at the peril of having a charge trumped up against him by the equites, and being condemned by them in the court where they acted as jurors.†

It was partly to gratify the equites by opening up to them new roads to wealth, partly to obtain money for providing for the distribution of corn, that Gaius enacted that the taxes of Asia should be put up to auction in the capital.

Previously a fixed sum had been paid annually by the provincials, but now they were ordered to contribute a tithe of the produce of their lands. As this varied according as the season was bad or good, there was an opening for the speculator; the equites formed themselves into a joint stock company, which paid a certain sum to the State and then got as much as it could collect from the provincials.

Another of his laws was to the effect that the Senate should decide what provinces were to be assigned to the

* There are in existence the fragments of a *Lex Acilia Repetundarum*, which is generally associated with this law of Gracchus. The *Lex Acilia* directed the praetor every year to draw up a list of 450 names to try cases of extortion on the part of magistrates. These jurors were to include no senators. The text is given in Wordsworth's *Fragments and Specimens of Early Latin*. This law continued in force until 111 B.C., when it was replaced by a *Lex Servilia*, passed by the Servilius Glauca who became so prominent in 100 B.C.

† Plutarch's statement that the law of Gracchus added 300 equites to the Senate, and made the judges eligible out of the whole 600, is probably due to confusion with the proposals of Drusus in 91 B.C.

consuls before they were elected. This proviso made it impossible for the Senate to show favouritism in the matter, which it could easily do when the selection of provinces was deferred until after the elections. If its political opponents won the day, it could retaliate by assigning to them provinces which offered no chance of distinction or wealth.

§ 12. Thus Gaius had not fallen into his brother's error of relying upon the support of one section only of the community. He had, indeed, the starving proletariat to back him up, but he had also the financial magnates of the State. Unfortunately a further law which he proposed in order to conciliate the Latins and Italians broke up the coalition. It was to the purport that the full franchise should be granted to the Latins, and Latin rights to the allies. Gracchus' motive, no doubt, was partly to secure more supporters, and partly to soothe the Italians for any loss which might befall them through the establishment of colonies at Tarentum and elsewhere, but, as in the time of Flaccus, the populace objected to sharing its comitial privileges with any newcomers and began to fall away from its leader.

The Senate saw its opportunity; it would widen the coldness into a quarrel by pretending to become
Counter-Proposals of M. Livius Drusus. the patron of the poor. A tribune, M. Livius Drusus, was prompted to propose: first, that the small rent-charge for land allotted by the law of the elder Gracchus should be remitted, and that the settlers should be allowed to sell their allotments; secondly, that twelve colonies, of three thousand citizens each, should be established for the benefit of the poor, not beyond the seas but in Italy. At the same time he gave a proof of his integrity by asking no employment for himself or his friends in the foundation of the colonies. His proposals were, of course, carried. If Gaius had been in Rome he might have pointed out the trickery which was at work, but he was busy at Carthage, superintending his new colony of Junonia. He marked out a space sufficient for the habitation of six thousand settlers, and proceeded steadily with his projects, although omens

occurred which might have frightened any one less superstitious from repeopling the site solemnly cursed by Scipio Aemilianus. He was away for seventy days, and when he returned, about the time of the consular elections, he found his position almost hopeless. The consul published an edict ordering all Italians to quit the city. Gracchus retaliated by bidding his supporters remain in Rome and vote, no matter whether they could legally do so or not. The elections went utterly against him. The consulship fell to Q. Fabius Maximus and L. Opimius, his most active foe; and, worst of all, he failed himself to secure election to the tribunate of 121 B.C.

§ 13. On the 10th of December his tribunate ended, and he was once more a private citizen. The consular year began on January 1st, and as soon as that date arrived Opimius proposed the

Fall of
C. Gracchus,
121 B.C.

abolition of Junonia, having previously worked upon the superstition of the people by reports of the prodigies which had happened at the inauguration of the new colony. Gaius saw that he must resist the proposal at all costs, and his partisans went to the place of voting armed with daggers. Gaius himself appeared with a bodyguard, and as he was walking in the Forum, a sacrificial servant, named Antullius, addressed some insulting words to him. One of his supporters stabbed Antullius to the heart, and a terrible riot ensued. Gaius attempted to explain the occurrence, but could not make himself heard, and a heavy fall of rain sent both parties home for the night. Meantime, Opimius eagerly seized the opportunity which the foolish act had given to him. He collected a band of armed men and summoned the Senate. On the morrow the Senate ordered the consul to assume the powers of a dictator by the usual formula—*videret ne quid detrimenti respublica caperet*, "let him see to it that the State received no harm."* He armed senators and slaves, and such equites as did not side with Gracchus, and occupied the Capitol. Fulvius, on his part, collected a miscellaneous crowd, and, after a restless night, occupied the temple of Diana on the Aventine with

* Known as the *senatus consultum ultimum*.

his hands. In that old sanctuary of the plebeians, he was joined by Gracchus, who, but for a short dagger, was perfectly unarmed. Gracchus did his best to obviate a collision, and persuaded Flaccus to send his young son to the Senate. But the reply was returned that the insurgents must disband, and that their leaders must surrender themselves. Unwilling to accept these terms, they sent the youth again. This time he was arrested; the Senate offered the weight in gold for the head of either Gaius or Flaccus, and Opimius, accompanied by Q. Metellus Macedonicus and many other leading senators, led his men against the democrats. In the attack, the mob was speedily dispersed; Fulvius fled, only to be dragged from his hiding place and put to death. Gaius took no part in the fight. He wanted to kill himself in the temple of Diana, but his friends took away the weapon and dragged him from the spot. At the wooden bridge that led across the Tiber he was hotly pressed by his enemies; but two of his friends planted themselves in the way and held the bridge until they were cut down. But the respite was not sufficient to save their leader; he called for a horse, but none could be found, and as his pursuers were close upon him he turned aside into the grove of Furinna; there he bade the one slave who still followed to slay him. His attendant executed his orders, and then killed himself.

§ 14. With the fall of Fulvius and Gracchus, the popular party was left without a head. Some hundreds ^{Persecution of the Gracchians.} had perished in the disturbances, and three thousand more were tracked out and condemned by a special commission under L. Opimius. Many of these were not even allowed to make a defence; but the popular party was too cowed to offer further resistance. The baser sort among them hoped to get something out of the Senate, and turned to Drusus to fulfil his promises. But he had only acted as the instrument of the Senate, and the Senate had no mind to fulfil promises of which the purpose was already served. On the contrary it attacked in detail every act of Gaius' tribunate, and gradually recovered most of its power, though it was obliged to give way over the question

of the *iudicia*. Yet the memory of the revolution did not die. The popular party soon recovered sufficiently to impeach Opimius,* without success it is true, but C. Papirius Carbo, the quondam ally of Tiberius Gracchus, who had since turned renegade, was accused of high treason, and, to escape condemnation, perished by his own hand.

The Senate first attacked the land laws. The decree prohibiting any further attempt to refund ^{Fate of the Land Laws.} Carthage (*Iunonia*) was carried, with the proviso that lots already granted to colonists should not be annulled. Of the projected transmarine colonies, one only, Narbo, held its ground and struggled on until it became an important city; but, as will be seen, this was because of its utility from a military point of view. Gaius' Italian colonies fared little better. Neptunia, near Tarentum, and Minervia, at Scyllacium, contrived to exist, but no colony at all was sent to Capua, while the twelve promised by Drusus were allowed to be forgotten. It has already been mentioned that Drusus allowed those who had received allotments under the Gracchan laws to sell their small holdings. Thus the rich again bought up the land.† A second step was taken in 119 B.C., when, prompted by the Senate, Spurius Thorius, a tribune, passed a law ending the commission for distributing lands that had been restored by Gaius, and enacting that all public land should remain to

* He was accused of *perduellio*, or high treason, before the Comitia Centuriata. Action was taken under a law of C. Gracchus which, besides generally re-enacting the provisions of the *Lex Valeria de Provocatione* of 509 B.C. and the Porcian Laws of 200 B.C., expressly declared that it was illegal for a citizen to be condemned by an extraordinary commission appointed by the Senate without the consent of the people.

† This and the following laws are mentioned in Appian i. 27. (α) νόμος τε οὐ πολὺ ὑστερον ἐκυρώθη, τὴν γῆν ἐξείναι πεπράσκειν τοῖς ἔχουσιν; (β) Σπύριος Θόριος δημαρχῶν ἐσηγγήσατο νόμον, τὴν μὲν γῆν μηκέτι διαρέμειν, ἀλλ' εἶναι τῶν ἔχοντων, καὶ φόρους ὑπὲρ αὐτῆς τῷ δήμῳ κατατίσθαι, καὶ ταῦτα τὰ χρήματα χωρὶς εἰς διανομὰς; (γ) τοὺς φόρους οὐ πολὺ ὑστερον διέλυσε δημαρχος ἕτερος, καὶ ὁ δῆμος ἀβρώας ἀπαίτων ἐπέστωκε.

Some confusion has been caused by a passage of Cicero to the effect that Sp. Thorius agrum publicum vitiosum et inutili lege vectigali levavit. Mommsen renders "Sp. Thorius by imposing a quit rent freed the public domain from a mischievous and useless law" (that of Tib. Gracchus), and identifies it with the second of the above laws. But this translation of *vectigali* as an ablative of the instrument is so improbable that it seems better to give to the passage the natural rendering, "Sp. Thorius by a mischievous and useless law freed the public land from rent." It will then refer to Appian's third law, and we must suppose that Cicero has made a mistake about the name of the tribune who proposed it.

its present occupiers—*i.e.* those left in possession of not more than five hundred acres each by Tib. Gracchus—for a small rental, which was to go towards the fund for the provision of corn. Finally, in 111 B.C., a new law, proposed by some unknown tribune, perhaps Baebius, abolished this tax altogether.* Thus the smaller and poorer tenants were soon bought out or evicted by less honourable means, and the entire domain land passed again into the hands of the wealthy, who were exempted from any payment for their possessions. All the labours of the Gracchi were lost. Grass farming and slave labour grew up anew, and the depopulation of Italy became every day more marked.

The corn laws the Senate dared not touch, yet even in the popular party the wiser men saw that such laws were radically evil. Their sole tendency was to encourage pauperism and discourage labour; to fill Rome with beggars who would sell their votes for a fresh largess. In 119 B.C., when the famous Gaius Marius was tribune, he spoke against a proposed extension of the Gracchan distributions, and with success. His attitude on this point is all the more interesting, seeing that he had just come into violent conflict with the Senate on a law to regulate voting, and had only carried his measure by a threat to imprison the consuls. This wavering seems to show that he had not yet made up his mind whether he should become an aristocratic nominee or take up the popular cause in earnest.

The equites were long left unmolested in their new powers. With regard to the jury courts, the senatorial party came to a tacit understanding with its rivals that the latter should be allowed to plunder the provinces at will, and should in turn suffer the senatorial governors to share what remained. The provinces had reason to regret the transfer of the *iudicia* to the new class. Previously they had but their governors to fear, now they had governors and equites as well.

* Probably this belongs to a *lex Agraria* of which fragments are still in existence. They are written on the back of the same table as the *lex Atilia Repetundarum* (p. 48, note), and were apparently added when that law was superseded, and the table could be turned to another use. The law deals with public land in Italy, Africa, and Corinth. The substance of the passage in Appian occurs in l. 19, *NEI QUIS MAGISTRATUS FACITO, QVO QVE POSTULO AUT PULCRAM FREQUENTIAM SCITTURAM VECTIGALIV PER DARE NE DEFEAT*; see Wordsworth's *Fragmenta and Specimens of Early Latin*.

In 115 B.C. M. Aemilius Scaurus came forward as a prominent politician by proposing a sumptuary law and a *lex de libertinorum suffragiis*, which restricted the power of the freedmen by confining them to the four city tribes, or perhaps prevented them from voting at all.* Scaurus plays a prominent part as a statesman during the next thirty years, and is spoken of by later poets as a worthy companion of the Fabii, Aemilii, and other Roman heroes. His skilful oratory and fine presence secured the ear of the Senate and the people, and his rise was meritorious, seeing that, though of noble birth, he was poor; but there is absolutely no great or even honourable achievement connected with his name; as a general he was a failure and as a statesman deeply tainted by bribery.

In fact the very pre-eminence of so commonplace an individual shows that "an era of political mediocrities" had set in. More than ever it was the policy of the aristocrats to distribute office and power among the younger members of their own ranks, and to discourage the rise of any one from outside. Hence came disaster and disgrace on all hands abroad. At home there was nothing but corruption and intrigue. The one feature of the Gracchan reforms which might have proved beneficial—the design of providing lands by allotment and colonisation and so re-peopling Italy—was crushed by the oligarchy; and every feature that was faulty and dangerous—the corn doles and the abuse of justice—was fostered by the restored nobles. When Rome needed a champion to save her she found one, not among the Caepiones and other incapables, but in the low-born Marius.

* The question of admitting the freedmen to the tribes had been perpetually recurring ever since the censorship of Appius Claudius in 311 B.C., and the matter was of great importance, for, if admitted to all of the thirty-five tribes, the freedmen were sufficiently numerous to swamp the few rural citizens who could come to the capital for the purpose of voting. Appius Claudius admitted them to all the tribes; Q. Fabius, his successor, restricted them to the four city tribes; so did C. Flaminius in 220 B.C., and in 169 B.C. Tiberius Sempronius Gracchus tried to deprive them of their votes altogether, but without success. The party of reform objected to their votes, because they were so completely under the influence of their former masters, who mostly belonged to the oligarchical faction.

CHAPTER III.

THE GALLIC AND NUMIDIAN WARS.

§ 1. Rome and Gaul: Massilia. — § 2. Campaigns of Flaccus and C. Sextius Calvinus. — § 3. Campaigns of Domitius Ahenobarbus and Fabius Maximus: Province of Gallia Narbonensis. — § 4. The Province of Africa: Numidia: Mauretania. — § 5. The Rise of Jugurtha. — § 6. The Fall of Cirta: Campaign of L. Calpurnius Bestia. — § 7. Jugurtha in Rome: Murder of Massiva. — § 8. Campaign of Spurius Postumius Albinus. — § 9. The Quaestio Limetana. — § 10. First Campaign of Metellus. — § 11. Peace Negotiations. — § 12. Second Campaign of Metellus. — § 13. C. Marius. — § 14. First Campaign of Marius. — § 15. Second Campaign of Marius: L. Cornelius Sulla. — § 16. Betrayal of Jugurtha. — § 17. Settlement of Numidia.

§ 1. BY the year 133 B.C. the conquest of Italy as far as the Alps had practically been accomplished. The

Rome and Gaul. Gallic tribes which inhabited the valley of the Po were all subjugated after the Second Punic War, and their neighbours, the weaker Ligurians around the head of the Gulf of Genoa, had received the final blow to their independence in 143 B.C., when the consul Appius Claudius reduced the Salassi and took from them the gold-washings of Victumulae. Beyond the Alps, however, the Romans had not yet obtained a footing; a fact all the stranger when we remember that they had been in possession of large tracts of Spain for well-nigh a century, and that a land route through Gaul would have been of great service in connecting those distant provinces more closely with Italy. For a long time they contented themselves with the alliance of Massilia (*Marseilles*), the flourishing Greek emporium which had been founded as far back as 600 B.C. by

enterprising Phocaeans from Asia Minor. The Massaliots, adventurous and industrious merchants, soon established their stations along the coasts of Gaul and Spain: such were Portus Monoeci (*Monaco*), Nicaea (*Nice*), Antipolis (*Antibes*), and Olbia lying opposite to the Stoechades (*Isles d'Hières*). Further to the west they planted Agathe (*Agde*), to which flowed the commerce of south-western Gaul, and Emporiae (*Ampurias*), where the Pyrenees touch the sea; and we even hear of settlements to the south of the Jucar in Spain. At Massilia the government was in the hands of an oligarchy of six hundred, who entrusted the conduct of affairs to a committee of fifteen. Their policy towards the Ligurian tribes by which they were surrounded was eminently pacific, for they appear never to have aimed at acquiring territory at their expense. In return they suffered much from their less civilised neighbours, and an attack of the Ligurian Deciates and Oxybii upon Antipolis and Nicaea led (154 B.C.) to the interference of Rome. The consul Q. Opimius, who was commissioned by the Senate to protect its allies, defeated the Ligurians and deprived them of their lands. For thirty years nothing further was done, but in 125 B.C. the Romans set about the task of subduing Gaul, which was ultimately accomplished by Julius Caesar.

§ 2. The country between the Rhone and the Alps, as far as the Isara (*Isère*), was occupied by the Vocontii and the Salluvii or Salyes, tribes of mixed Ligurian and Celtic descent; while beyond these lay the Allobroges and the Aedui. The

Gallie Campaigns of Flaccus and Calvinus. Allobroges dwelt in the fertile region known as their Island (*Insula*), which is bounded on three sides by the Rhone and the Isara; and their chief town was Vienna (*Vienna*). The Aedui, who were centred round Bibracte (*Autun*), occupied the country between the Liger (*Loire*) and the Arar (*Saône*). Both of these tribes were numerous and influential, but the chief power in Gaul at this time rested with the Arverni, who occupied the valley of the Elaver (*Allier*), and gave their name to the district now known as Auvergne. Their dominion extended at one time to the Pyrenees and the Atlantic, though not indeed over the Belgic confederacy

which existed north of the Sequana (*Seine*), and they were said to be able to bring one hundred and eighty thousand men into the field. Poseidonius, a Greek traveller of this period, was much impressed by the rude magnificence of the Arvernian king, Luerius, who travelled in a silver-mounted chariot through his dominion, and scattered gold and silver as he went along. The numerous coins of this monarch which are still extant show that the story is not without foundation.

In 125 B.C. that staunch adherent of Tiberius Gracchus, M. Fulvius Flaccus, was consul, and the Senate, anxious to be rid of so resolute an opponent, and also, perhaps, being not unwilling to gratify that part of the democratic programme which aimed at relieving distress by the acquisition of territory and booty outside Italy, sent him to conduct the war in Gaul. The pretext for interference was an attack made by the Salluvii upon Massilia. Flaccus campaigned successfully both as consul and as proconsul (124 B.C.), and his achievements were emulated by C. Sextius Calvinus (123, 122 B.C.), who took the chief town of the Salluvii, and, a few miles to the north of Massilia, established a Roman garrison at a place he called Aquae Sextiae (*Aix*), to commemorate at once its hot springs and his own deeds.*

§ 3. Calvinus was succeeded by C. Domitius Ahenobarbus.

Campaigns of
Domitius
Ahenobarbus
and Fabius
Maximus.

His first action was to demand the surrender of the king of the Salluvii, who had taken refuge with the Allobroges. The latter refused to give up the fugitive, and in their turn appealed to their overlord Betuitus, who had succeeded his father Luerius as king of the Arverni. Betuitus determined to aid his vassals, and brought up a huge army of one hundred and eighty thousand or two hundred thousand men against the Romans. By this time the consul Q. Fabius Maximus Aemilianus, a nephew of Scipio Aemilianus and grandson of the victor of Pydna, had joined Ahenobarbus, and on August 8th, 121 B.C., the decisive battle was fought at the juncture of the Rhone and the Isara. In spite of the

* C. Sextius proconsul victa Salluviorum gente coloniam Aquas Sextias condidit, obaquarium copiam a calidis frigidisque fontibus, atque nomine suo ita appellavit (Livy, *Epitome*, 61). *Coloniae* here is not strictly accurate. At first Aquae Sextiae was only a *praesidium*, and it did not become a colony until the time of Augustus, when it was styled *Colonia Julia Augusta Apsila Sentalis*.

boasts of Betuitus, who declared that the thirty thousand Romans were too few to satisfy the dogs in his army, the Gauls were routed with a loss, it is said, of one hundred and fifty thousand men, mostly drowned in their flight homewards across the Rhine. The Allobroges submitted at once, and Fabius, afterwards known as Allobrogicus, returned to Rome. Soon afterwards Ahenobarbus captured Betuitus by treachery, and in the battle of Vindalium, not far from Avennio (*Avignon*), reduced the Arverni to peace.* The country from the Lake of Geneva to the Pyrenees was constituted a province, called Gallia Narbonensis from its chief town of Narbo (*Narbonne*), where three years later (118 B.C.) was established a citizen colony. The colonisation of this place fulfilled a threefold object—it served as a concession to the populace, satisfying in some sort the promises of Livius Drusus; it made an excellent garrison town and head of the new province, and it gratified the equites by giving them a commercial rival to Massilia, which from this date began to decline. As the limits of the new province indicate, the Allobroges lost their independence, but the Arverni, although deprived of some territory south of the Cevennes and about the sources of the Garumna (*Garonne*), over which they had previously exercised a more or less real supremacy, remained undisturbed in their home lands. Ahenobarbus completed his work by prolonging, until it reached Tarraco (*Tarragona*), an old Greek road, which went as far as the Rhone. By this, which received his name as the *Via Domitia*, the communications with Spain were firmly secured.

§ 4. Before proceeding with the conquests of Rome in

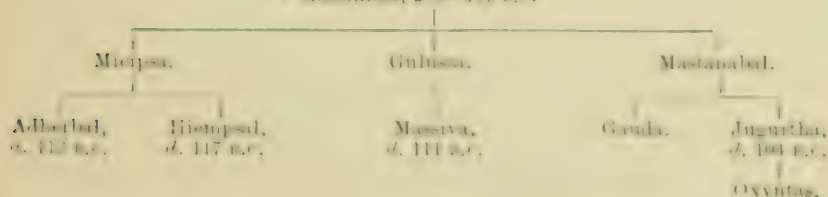
the north, we must turn to a different quarter of the world. The strip of land in Northern Africa which is defined on three sides by the Mediterranean and the Atlantic, and on the fourth by the great desert of the Sahara, was divided at this period of its history into three territories—the Mauretanian kingdom of Tingis (now *Morocco*), Numidia,

* Following Mommsen's account of the war; but the epitomator of Livy transposes the order of the battles and makes Ahenobarbus the conqueror of the Allobroges, and not of the Arverni.

and the Roman province of Africa. The last named had been formed in 146 B.C. out of the possessions of Carthage; but it by no means comprised everything that had belonged to the great rival of Rome: it was only a comparatively narrow district, some fifty miles in breadth and two hundred and fifty in length. Surrounding it on every side by land there stretched the kingdom of Numidia, which had been continually aggrandised at the expense of Carthage, until it comprised many of the important cities—such as Hippo Regius and the Greater Leptis—which had once paid tribute to the Carthaginians. On the east it reached to the Greater Syrtis, on the west to the river Muluchath, and in size and importance was second only to Egypt. Beyond the river Muluchath stretched Mauretania, a kingdom with which the Romans so far had hardly come into contact.

§ 5. In 149 B.C., that is to say immediately after the outbreak of the Third Carthaginian War, Massinissa, the greatest organiser that Numidia had seen and the inveterate enemy of Carthage, died in the ninetieth year of his age. Scipio Aemilianus divided his kingdom between his three sons: Micipsa was the acknowledged king, but Gulussa, who sent troops to act at the siege of Carthage, was commander-in-chief, and Mastanabal was entrusted with the control of justice. Both the younger brothers died before 118 B.C., so that Micipsa became sole ruler. He was infirm and unwarlike, and when he also died in 118 B.C., he left his dominions between his young sons, Adherbal and Hiempsal, and his nephew and adopted son, Jugurtha.* For some time previously Jugurtha had virtually governed the country at his will, and his energy and bravery had made him popular with his countrymen. He had been sent by Micipsa with

* Massinissa, 278–149 B.C.



a contingent of Numidians to the aid of Scipio in the Numantine war (134, 133 B.C.)—Sallust, the historian, suggests in the hope that the able young prince might fall a victim to his boldness—but he emerged with credit from the commission, and besides distinguishing himself by his courage, he had intrigued so successfully with many of the leading Roman officers, whom he met in Spain, that he believed himself sure of their support in the future. Now left coheir with Micipsa's sons, he refused to be satisfied with his share of the kingdom, while his cousins contested his right to any portion of the land that had belonged to their father. In the end Hiempsal was assassinated by Jugurtha's emissaries (117 B.C.), while Adherbal was so hardly pressed that he was compelled to flee to the province, whence he sailed to Rome to lay his grievances before the Senate. But here, too, he was outmanoeuvred by Jugurtha, who scattered his gold about broadcast in order to get a decision favourable to himself. Numidia was divided between Adherbal and Jugurtha, and the usual commission of ten senators was sent to carry out the arrangement. Its head, the ex-consul, L. Opimius, gave the capital Cirta (*Constantine*) with other important towns and ports to Adherbal, while the western part, which was inhabited by warlike clans but was less wealthy, fell to Jugurtha. Sallust declares that the commissioners were bribed and that Jugurtha had the best of the division, but the facts seem to show that Jugurtha had no great cause for satisfaction.

§ 6. Four years passed, during which both the chieftains prepared for the inevitable struggle. At last The Fall of Cirta, 112 B.C. in 112 B.C., Jugurtha, confident in his superior strength and in the connivance of the Romans, openly attacked his rival, and finally shut him up in the almost impregnable city of Cirta. Adherbal appealed to Rome, and while the siege was going on, the Senate, unwilling to see the establishment of a strong Numidian power at the doors of the province, sent out a commission of three young nobles to interfere. They asked Jugurtha to suspend hostilities, but he refused to listen to the demand. On his side he complained of plots against his life, and the commissioners returned home without effecting anything. After some

further delay, and in consequence of Adherbal's pressing appeals, a third commission under M. Aemilius Scaurus, the chief man in the Senate, set out for Africa. Jugurtha came to a conference at Utica, but the negotiations were absolutely fruitless and the commission returned with as little success as its predecessor had. Adherbal could hold out no longer; he surrendered the town and was at once tortured to death. Unfortunately for Jugurtha, there were a large number of Italian traders in Cirta, who had taken a prominent part in the defence. All of these shared the fate of the native Numidians, being massacred without mercy.*

This event caused a storm of indignation at Rome against the government, and the equites—the merchants and capitalists—were loud in their complaints of the remissness which had permitted the death of men of their own class. But even in the Senate there was a majority in favour of active measures against Jugurtha, and when C. Memmius, tribune designate for 111 B.C., declared that he would impeach the leading senators on the other side for having taken bribes from the Numidian chieftain, the government prepared to wage war in earnest. The embassy which Jugurtha had sent to secure approval of his claims was dismissed with the declaration that the only satisfactory basis of negotiations was the surrender of Jugurtha himself. L. Calpurnius Bestia, one of the consuls for the year, was appointed to the chief command, and under him as legate served Scaurus, the head of the last embassy. He met with no resistance worthy of the name; Jugurtha knew that his ally and father-in-law, Bocchus of Mauretania, was ready to betray him, and resolved therefore to buy over the Roman general at any price. He came to Bestia's camp at Vaga, on the middle course of the Bagradas, and purchased peace from him and Scaurus. He was to retain his kingdom on

* This regards the story as an invention designed to blacken Jugurtha and justify the harshness of Rome towards him; because (1) Italian traders were scarcely interested in the Numidian succession, or likely to sacrifice themselves either for one side or the other; (2) the alleged murder of Italians was not urged in subsequent charges against Jugurtha as a crime calling for punishment; (3) Jugurtha was scarcely likely to commit such an act of folly as deliberately to massacre the subjects of Rome.

paying a petty fine and surrendering his war elephants (111 B.C.).

§ 7. The news of the arrangement led to fresh outbursts of anger in the capital, where the popular party and Memmius again broke out into invectives against the incapacity and corruption of the Senate. To quiet the storm, the Senate agreed that Jugurtha should come to Rome under a safe conduct, so that the truth of his negotiations with Bestia and Scaurus might be elicited from him. He appeared before a mass meeting of the people, but no sooner had Memmius addressed to him his first question than another member of the tribunician college, acting on behalf of the Senate, interposed his veto and forbade Jugurtha to answer. There still remained the decision as to whether the treaty of peace should be confirmed.* The ultimate authority in this matter rested jointly with the Senate and the people; the popular party was of course violently opposed to such a proceeding, and Sp. Postumius Albinus, the elected consul for 110 B.C., was anxious to see the war continued, in the hope of winning reputation and wealth. Scaurus and Bestia, and the majority of the Senate, were disposed to acknowledge Jugurtha as king of Numidia; and regarding the matter apart from the question of corruption, there is something to be said for such a policy. Rome, as the issue of the war eventually showed, was not yet ready to convert Numidia into a province, and Jugurtha was as likely as any other candidate to prove a faithful and strong ally when once he was sure of his position. Moreover, some disastrous reverses had been recently experienced in the Northern wars, and men were regarding with anxiety the first glimpses of the storm which broke on them with such fury a few years later. Surely it would be better to utilise Rome's resources in meeting a danger which might become a very real one, than in wasting her strength on an enemy whose fall would

* So runs the narrative of Sallust. One thinks it improbable that Jugurtha would come to Rome to give evidence against himself. His object probably was to get the preliminary treaty between himself and Bestia ratified by the Senate and people; but while trying to accomplish this he came into collision with the popular party, who wanted to get from him the evidence necessary to establish the corruption of the senators.

lead to no conceivable advantage. The popular leaders, however, were in no mood to listen to such arguments; they saw a chance of retaliating on the government for its treatment of the Gracchi, and were resolved to bring the charge of corruption home to its guilty members. They were aided by Jugurtha's own folly. At this time there was living at Rome his kinsman Massiva, a son of Gulussa, who had come to the capital to further his own claims to the kingdom of Numidia. As this rival had secured the support of a powerful party in the State, Jugurtha determined to put him out of the way, and by means of a faithful adherent, Bomilcar, procured his assassination in the very streets of Rome. Bomilcar was subsequently arrested, but Jugurtha persuaded a number of his friends in Rome to act as bail for him, and then sent him back in safety to Africa. A few days afterwards he received notice from the Senate to quit Italy; so dangerous had the popular excitement grown that not even Bestia could hope any longer to secure assent to his policy. The peace was cancelled and Sp. Postumius Albinus sent to carry on war. Jugurtha obeyed the Senate's mandate, and as he left Rome uttered the well-known declaration that the capital was on sale and would perish as soon as a purchaser appeared.

§ 8. Sp. Postumius Albinus passed the year in campaign-
 Campaign of ing against Jugurtha, but his wily enemy
 Sp. Postumius proved far more than a match for his military
 Albinus, skill. Sometimes Jugurtha opened negotiations
 110 B.C. for surrender, only to break them off when a definite result seemed likely to be arrived at. Sometimes he retreated before the consul's advance, and when Albinus was involved in the difficulties of the country, turned on him and harassed him until he scarcely knew whither to move. Towards the end of 110 B.C. he left for Rome, since the time of the consular elections was now at hand. He passed on the command to his brother Aulus Postumius Albinus. This general coveted the wealth of Jugurtha, and in January 109 B.C., when the usual rains had converted the whole country into a morass, he marched upon his treasure city of *Suthul* (*Guelma*). The attack failed, for the place was

strongly situated on a hill, and the ground was little better than mud. Still no serious loss would have been incurred if Aulus had not been tempted by a simulated retreat to follow the king into the desert. Jugurtha once more turned on his pursuers, and aided by treachery among the Ligurians and Thracians in the consul's army, suddenly beset the lines of the Romans and forced them to quit their camp. The legions made their way to some hills in the neighbourhood, and Aulus was compelled to purchase safety for himself and his men by passing under the yoke and by agreeing to evacuate Africa forthwith and renew the peace of Scaurus.

§ 9. Thus the African war brought one more disgrace upon the fame of Rome, and the popular party again broke out into fury at the mismanagement of the government. One of the tribunes, C. Mamilius Limetanus, gave voice to the prevailing discontent by moving the appointment of a special commission to try the senatorial leaders on charges of high treason and corruption. The people passed the bill with acclamation, and three commissioners were appointed. Strange to say, the president of the court was Scaurus himself, the very man to whom popular opinion pointed as the worst offender of all those who were to be tried. However, Scaurus made no attempt to shield his political friends, and the jury, which was composed of equites, condemned several of the foremost men in the State. Among them were Bestia and Spurius Albinus, besides the less notorious C. Sulpicius Galba and C. Cato; but if there was one conviction pleasing beyond all the rest to the democrats, it must have been that of L. Opimius, the slayer of C. Gracchus and so many of his followers. The punishment inflicted on the condemned is not known for certain; it seems to have been exile, for we are told that Opimius retired to Dyrrhacium in Illyria and there died in poverty.

§ 10. The consular elections were held early in 109 B.C., and there were chosen Q. Caecilius Metellus and M. Junius Silanus. The province of Numidia fell to the former of these. Metellus belonged to a family which had secured more consulships during the

The Quaestio
Limetana.

First Campaign
of Metellus,
109 B.C.

preceding century than any other at Rome. He was the nephew of that Q. Cæcilius Metellus who had crushed the pretender Andiscus in Macedonia (148 B.C.), and reduced the country to a province of Rome. As might be expected, he was in politics a staunch supporter of the Senate, a fact which shows that the democrats did not press their recent victory to extremity; he was a capable administrator and a good general, and if he had little scruple on other points, was at least proof against bribery. So well recognised by all parties was his integrity, that when he was accused of extortion (*repetundæ*) at the close of some provincial administration, the equestrian jury declared that it had no desire even to scrutinise his accounts. On his arrival in Africa he found the army in a deplorable state; their camp lacked the customary rampart and ditch; nobody troubled about keeping watch, while the soldiers pillaged the country far and wide, driving off the cattle and selling it as their lawful spoil. The energy of Metellus speedily restored discipline, and when this had been done, the consul marched up the Bagradas to Vaga, a populous town in which dwelt many Italian merchants; and this he fortified as a convenient centre for obtaining supplies. Afterwards he moved on to the Muthul (probably some offshoot of the Bagradas), where he found Jugurtha prepared for battle. As he came down from the high ground to the river, he was attacked on flank and rear, as well as from the front, but though the fight was severe until evening, the Romans at length were victors, and the Numidians fled in all directions. So narrowly, however, had Metellus escaped disaster, that he resolved, instead of fighting another pitched battle, to ravage Jugurtha's territory far and wide, and this he did, burning all the strong places and towns which he could seize, and massacring all the population of military age. All the while he was harassed by the Numidian horsemen, who followed him as he marched hither and thither, until in order to get rid of their irritating attacks he determined to reduce Zama, the town which gave its name to Hannibal's last fight and was the chief place in that part of Jugurtha's kingdom. On the march, Metellus despatched his chief officer, Marius, afterwards the famous conqueror of the

Cimbri, to obtain supplies from Sicca. As he was coming out of the town gates he was fiercely assaulted by Jugurtha, but Roman steadiness prevailed, and Marius joined his superior in safety before the walls of Zama. Metellus found the place too strong for him to capture. For two days he assaulted it from dawn to eve, but the townspeople resisted desperately, while Jugurtha helped them from without and inflicted some loss on the enemy (end of 109 B.C.).

§ 11. It was now time to think of winter quarters, so ^{Peace} Metellus led back his men to Utica, in the ^{Negotiations.} Roman province. In this period of inactivity, both sides were willing to try negotiations. Jugurtha saw how desperate his position was becoming, and following the advice of his confidant Bomilcar, who had however turned traitor on condition of receiving pardon for the murder of Massiva, did his utmost to gain terms of peace. Metellus demanded the surrender of his treasure and stores; Jugurtha gave them up, and was equally complacent in the matter of some Roman deserters (Thracians and Ligurians), who were punished without mercy as soon as Metellus got them into his power. Jugurtha even seems to have given up his capital Cirta,* but when asked to surrender himself he refused, and broke off the negotiations. He had gained nothing by his concessions, whereas Metellus was sufficiently dishonourable to retain everything that had been given up. The Numidians pressed Jugurtha² to continue the struggle. Metellus, on his part, was anxious to gain some signal advantage before laying down his command. For, although Roman historians spoke of the battle on the Muthul as a glorious victory, the narrative shows that Metellus had really gained nothing by it, and not only were the Italian traders in Africa loudly complaining to the Senate that the inactivity of the Roman army was ruining their trade, but Marius declared at Utica that, was but one-half of Metellus' force at his command, he would have Jugurtha in chains before many days were over.

* Because we subsequently find Metellus in possession of this stronghold, without any indication in Sallust's narrative that he gained it by force.

§ 12. It was a sign of the growing adherence of the Numidians to Jugurtha, that the citizens of Vaga, in which a Roman garrison had been placed, rose in revolt, and while entertaining them in apparent friendship, massacred every Roman officer in the place, except the commandant T. Turpilius Silanus. The rank and file met the same fate, but the news instantly reached Metellus; and the latter, hurrying up two days afterwards, recovered the town and inflicted summary vengeance on the insurgents. Turpilius was condemned by a council of war and beheaded; why, we are not told, but unluckily for himself he was a Latin, and therefore could not claim the protection of an appeal to the people, which was enjoyed by the meanest Roman citizen. As time went on, the position of Jugurtha became almost hopeless; he was pursued from place to place by Metellus, and was, moreover, threatened with treachery from his followers. Bomilcar, who had put himself at the orders of Metellus, almost succeeded in a plot to surrender his master, but an accident revealed the whole business to Jugurtha, and Bomilcar promptly expiated his perfidy with his life. In the course of the summer, Jugurtha took refuge in Thala (supposed to be identical with Thalepte) in the eastern portion of his kingdom. In this strong place, which, together with Capsa, was still faithful to his fortunes, he kept a great portion of his treasures. Metellus followed in his track, and after passing through a belt of waterless country, fifty miles in breadth, reached the town. But Jugurtha barely waited for him to appear; with his children and his treasures he quitted Thala by night and fled to the west, where his authority was still unbroken. There he had an interview with Bocchus, with the result that both kings joined their forces and prepared to drive the enemy out of Cirta, which, as we now first learn from Sallust's narrative, was in the possession of the Romans. Metellus meanwhile had taken Thala, and marched to protect Cirta; but at this juncture the unwelcome news reached him that his subordinate, the low-born Marius, had been elected to the consulship, and that the people had bestowed on him the command of the African army. Metellus did not choose that another should reap the

fruits of his own exertions ; so he deliberately took no active measures against the enemy, and the year passed away without any further events of note.

§ 13. We have already caught a glimpse of this re-

Marius.

markable soldier amid the dust and heat of the Jugurthine war, but he had been engaged in active service long previously. Marius was born in 157 B.C. at Cereatae, a village in the neighbourhood of Arpinum, which even now records the event by its name Casamare (the home of Marius). His father was a hard-working farmer in such humble circumstances that Marius did not seem likely even to win the distinction of a magistracy in his native place. But the conscription called him away from the plough, and the condition of the army had changed so much from the olden times that a military career now began to open up a prospect of distinction. Marius served at Numantia in 134 B.C., where he attracted the attention of Scipio Africanus the Younger, and also came into contact with Jugurtha, who was in command of some African auxiliaries. After many years of hard work he rose to the rank of a centurion ; he was also fortunate enough to win the favour of a lady of the Julian family, who wedded the rising soldier in spite of his plebeian birth. Marius now tried to obtain office at Rome ; but he met with many reverses in his candidature. In 117 B.C. he was tribune of the plebs, and signalised himself by speaking against a bill regarding the distribution of corn, though generally he was a strong opponent of the Senate. Two years later he was rejected twice in the same day—an occurrence which, says Plutarch, befell no one else—first for a curule, and afterwards for a plebeian aedileship. However, in the same year he was elected to the praetorship ; though here again he came very near failure, for not only was he last on the list of successful candidates, but he was within an ace of being convicted of bribery. He passed his propraetorship in Spain, where he did good service in quieting unruly tribes, and in 109 B.C. he accompanied Metellus to Africa as one of his legates. His relations with his superior officer came finally to be the reverse of cordial, and when he asked for leave of absence to stand at Rome for the consulship,

Metellus advised him with a sneer to wait until his own son should be old enough to be a candidate, that is to say some twenty years hence. However, Marius got permission to leave for Italy, although barely twelve days before the elections; yet so anxious were the democrats to inflict a blow on the government and the country voters to support one of their own position, that Marius, *novus homo* though he was, gained the coveted distinction. It is significant of the almost insuperable obstacles placed in the way of outsiders by the circle of governing families, that such a victory was not won again by a popular leader until the days of Cicero.

§ 14. Marius at once began to raise recruits for his African campaign, and here too he inaugurated a momentous change; heretofore service in the First Campaign of Marius, 107 B.C. legions had depended, as had been the case ever since the reform of King Servius, upon the possession of a certain amount of property, originally eleven thousand asses, but subsequently lowered to four thousand. Marius did away with this restriction, and threw open the ranks to the *capite censi*, that is to those citizens on the tribal lists who had not even the lower of these two qualifications. The result was injurious to the State, in so far as it furthered the process of forming armies devoted to the interest of indulgent leaders, and thus helped to bring about the civil wars. But it was necessary, for there were few men left in Rome who possessed the amount of property requisite under the old system, and were at the same time desirous of military service.

Metellus gave to his legate, P. Rutilius Rufus, the duty of handing over his army to Marius. He bitterly resented the slight put upon him by the people, and at once returned to Rome, where he celebrated a triumph (107 B.C.) and received the surname of *Numidicus*. Marius did not appear in Africa until late in the year, and his first task was to drill the new troops, who had as yet seen nothing of warfare. When his recruits had gained confidence, he led them against Jugurtha, and after a number of unimportant operations, turned to besiege Capsa (*Kafsa*), which since the loss of Thala was the chief bulwark of the eastern part of Jugurtha's kingdom. The situation of this town was not

unlike that of Thala ; it was built upon an oasis, and surrounded by an arid waste of country, infested with serpents and scorpions. Marius marched on it so quickly that the enemy were ignorant of his approach, and he was able to seize the place before any resistance could be offered. He set fire to the town, massacred all the inhabitants of military age, and distributed the booty among his soldiers, an act of liberality which, coupled with his previous activity, won for him great popularity. All the small places in the neighbourhood submitted, and Eastern Numidia was completely in the hands of the Romans.

§ 15. The fall of Capsa occurred, says Sallust, towards the end of the summer (107 B.C.). The next action of Marius recorded by him is the capture of a fort upon the Mulucha (*Mejerdeh*), the river which forms the western boundary of Numidia. How Marius traversed the seven hundred miles of country which separate it from Capsa, we are not told ; but it is perfectly obvious that so long and dangerous a march could not be accomplished at the end of a campaign. Accordingly we must assign the expedition to the following year (106 B.C.). The fort was situated on a steep hill, and could only be approached by a single narrow path. The usual engines of war were useless against such a position, and Marius was doubtful how to proceed, when a Ligurian, climbing out of curiosity up an apparently inaccessible face of the rock, went on until to his surprise he reached the top. The defenders of the fort did not notice him, for they were all watching the proceedings of the Romans in the opposite direction. The Ligurian reported his success to Marius, who ordered him to try his fortune again with five trumpeters and hornblowers. The little band achieved their task, and when Marius was pressing hotly upon the fort, raised a blast, which caused the Numidians to retire in alarm. The Romans followed up their advantage and captured the fort. While Marius was engaged thus, he was joined by a troop of horse under the quaestor, L. Cornelius Sulla. Thus for the first time the two great rivals came into contact. There was little resemblance between them : Sulla was only

Second Cam-
paign of Marius,
106 B.C.

Sulla.

about thirty-one, Marius almost a score of years older; Sulla belonged to the noblest blood of Rome, but his family was poor and he had spent his youth in a profligacy which was becoming more and more common with young Romans. However, he soon showed that he possessed great military talent, and his unbounded energy and careless familiarity with all ranks won the liking of soldiers and general. He speedily had an opportunity of showing his resource, for the appearance of Romans on the Mauretanian frontier roused Bocchus to activity. He united his forces with those of Jugurtha, and when Marius was marching back to Cirta, fell upon him just before the dusk of evening. The Romans were completely taken by surprise, but their discipline prevented them from being thrown into a panic, and after some hard fighting they occupied two hills, where for the time they were safe. All night long they watched the fires of the Numidians and listened to their shouts of triumph; then, when dawn approached, they sallied down and cut to pieces many of the enemy, as they were now plunged in slumber. But the danger was not yet over; as Marius was approaching Cirta he was suddenly assailed by the troops of Jugurtha and Bocchus in four divisions. The Romans had barely time to form their ranks, when Jugurtha was upon them with the ferocity of a desperate man. Holding up his reeking sword, he called out that he had slain Marius, and the legionaries, half-believing his words, wavered and fell back. At this critical moment, however, Sulla fell upon the enemy with his cavalry. The Mauretanians of Bocchus at once turned in flight, but the Numidians were of sterner material, and fought till they could fight no longer. Jugurtha was surrounded by the Roman horsemen; but he cut his way through them almost by a miracle and lived on to continue the struggle.

§ 16. Marius spent the winter of 106 B.C. in or near Cirta. The war was almost as far from being ended as it had been when he assumed the command, and at last he had recourse to the arts of intrigue by which Metellus had gained his successes. Bocchus was inclined to negotiate even without pressure from without, and sent envoys to Marius, by whom they

Defeat of
Jugurtha,
106 B.C.

were despatched to Rome to arrange terms with the Senate. They obtained a favourable answer, and Bocchus, hearing this, requested that Sulla might visit him for the purpose of concluding the negociations. It was a delicate mission, and Marius hesitated long as to whether he ought to expose his best officer to the risk of treachery. But Sulla was eager to go; he took a cohort of Pelignians in addition to some cavalry, and was on his way to Bocchus when the latter's son Volux met him with a body of horse. His purpose, he announced, was to secure a safe passage for Sulla, and in this he was successful, although the threatening proximity of Jugurtha's men more than once inspired the Romans with the thought that they had been betrayed. However Bocchus was reached at last: the Mauretanian king, says Sallust, wavered long as to whether he should betray Sulla to Jugurtha, or Jugurtha to the Romans. At last he decided to sacrifice his ally and son-in-law, although he had many misgivings about the attitude of his countrymen to this perfidy. Jugurtha was invited to a conference, where he was surprised and surrendered in chains to Sulla (105 B.C.). On January 1st in the next year he followed in the triumphal procession of his conqueror; after which he was cast naked into the Tullianum, a dismal dungeon at the foot of the Capitol. A few days later he perished by violence or starvation, but his senses had left him even before entering the "bath of ice," as he called it. While he lay dying the people summoned his conqueror to lead their legions against a far more formidable foe, the Gauls and Germans of the North.

§ 17. Thus ended the African war. For seven years

Settlement of a petty chief had defied the Roman arms, and
Numidia.

had then only fallen before treachery. A little more prudence on his part might have obviated the whole struggle, but his massacre of the Italians in Cirta and the outrageous murder of Massiva made it difficult for the national voice of Rome to acquiesce in his succession, and while the Senate was inclined to be friendly to him, its venality so infuriated the democrats that they would be satisfied with nothing short of his ruin. So Jugurtha was crushed; his undoubted bravery and resource, had they not

been stained by lack of scruple and a savage thirst for blood, would have won our sympathy; as it is, his end befitted his crimes. The Romans made no attempt to convert Numidia into an integral part of the Empire; its relations to the province of Africa continued unaltered, save that it was divided into two portions, of which the western, between the rivers Mulucha and Ampsaga, was given to Bocchus as a reward for his treachery, while the eastern was made over to Gauda, the half-witted brother of Jugurtha. It did not become a province until the time of Caesar, 46 B.C.

CHAPTER IV.

THE WAR AGAINST THE NORTHERN TRIBES.

§ 1. The North-Eastern Frontier of Italy.—§ 2. The Cimbri: Defeat of Carbo; of M. Junius Silanus; of L. Cassius Longinus.—§ 3. Battle of Arausio.—§ 4. Second Consulship of Marius.—§ 5. Battle of Aquae Sextiae.—§ 6. Battle of Vercellae.—§ 7. Second Sicilian Slave War.

§ 1. As we have seen, the campaigns of Flaccus and his successors in Transalpine Gaul had resulted in a thorough consolidation of the Italian frontier on the north-west. A similar task on the north-eastern frontier kept a series of generals busy in the lands at the head of the Adriatic and in Illyricum. After the wars with Queen Teuta and Demetrius of Pharos (229 and 219 B.C.) little or nothing was done to extend the Empire in this direction until 184 B.C., when on the rumour that Philip of Macedon meditated an invasion of Italy by land, a colony—the last of those in the peninsula known as Latin—was settled at Aquileia. This secured the hold of the Romans upon the Istrian peninsula, but between this and the territory of Scodra (*Scutari*), which had once belonged to Queen Teuta, there was a great extent of coast where Roman authority was hardly felt. Occasionally, as in 156 B.C., the brigandage and piracy of the Dalmatians compelled chastisement, but it was not until Macedonia was converted into a province (148 B.C.) that the Romans became permanently involved in conflicts with the more or less savage tribes who lived between the Adriatic and the Danube. After this event petty border wars were

of frequent occurrence, for even if the Romans had desired peace, the duty of safeguarding the frontier could not have been shirked. Thus in 135 B.C. the Dalmatian Vardaci were removed *en masse* from their old settlements; in 129 B.C. the Japydes were coerced into friendship by Decimus Brutus; and in 119 B.C., on the occasion of a further Dalmatian rising, the consul L. Metellus (afterwards styled Dalmaticus) captured Salona (*Spalato*) and converted it into a Roman garrison town. From time to time Roman consuls were adventurous enough to penetrate further inland. This was done in 115 B.C. by M. Aemilius Scaurus—the same who figured so largely in the Jugurthine war—who crossed the eastern Alps and made a treaty with the Taurisci. Next year, 114 B.C., C. Porcius Cato, a grandson of the famous censor, crossed the Macedonian frontier on an expedition against the Scordisci, a Gallic tribe settled in the country now called Servia. Cato failed miserably; he had to fight against a determined enemy in a land of mountains and forests, and although he himself escaped, his army was cut to pieces. The Romans were obliged to redeem their prestige, and in 113, 112 B.C. campaigns were fought by Caecilius Metellus Caprarius, in 112, 111 B.C. by M. Livius Drusus, who penetrated as far as the Danube, and in 110 B.C. by M. Minucius, who brought the five years' conflict to an end by almost wiping the tribe out of existence. Unfortunately by breaking the strength of the Scordisci the Romans had destroyed the bulwark which had thus far protected them against a far more terrible foe—the Cimbri, or "Champions."

§ 2. These Cimbri were the first of the German tribes with whom the Romans came in conflict.

The Cimbri.

According to their own account they had been driven from the shores of the Baltic by a great inundation of the sea, and had wandered up and down the central plain of Europe, attracting in the process many kindred tribes and even some of Celtic origin. For a long time they hovered about the northern bank of the Danube, unable to force a southward passage in face of the brave Celtic tribes like the Scordisci, by which the river was covered. Now the barrier was removed, and German and

Roman came face to face. The newcomers had much in common with the Gauls, and for a time the Romans were unable to distinguish between the two races; like the Gauls, they were of tall stature, but their hair was flaxen rather than ruddy, and their eyes were of a deeper blue than those of the Gauls. Their civilisation was less advanced; they had no fixed homes, but moved about in the big waggons which served as dwellings. They lived only for battle and deeds of valour, owned as king the bravest of their number, and sacrificed to the gods their prisoners of war. In 113 B.C., to the number of three hundred thousand full-grown warriors, they suddenly presented themselves at the passes of the Carnic Alps, close to the colony of Aquileia. They were met by the consul Cn. Papirius Carbo, who told them that the Taurisci, on whose lands they were, were the friends of the Roman people, and bade them depart. So great was their terror of the Roman name, that they prepared to obey,

Defeat of
Carbo, 113 B.C.

but Carbo attempted to draw them into an ambushade. They revenged themselves by routing their faithless enemy not far from Noreia, but instead of at once entering Italy, they slowly passed westwards across the Rhine and the Jura range, and appeared in Gaul. In this position, however, they appeared to threaten the newly formed Roman province, and to protect this M. Junius Silanus brought up an army in 109 B.C. The Cimbri asked for lands in which to settle; Silanus

Defeat of
Silanus, 109 B.C.

retorted by attacking them, and lost both army and camp. It was most difficult to raise new troops to face these fair-haired giants, and the Senate was relieved to find that the Cimbri contented themselves with repeating their demand for lands, and refrained from any assault upon the frontier. But now a new foe appeared. The Helvetii, a Celtic tribe settled in Switzerland, grew restless under the pressure of foes from without, and advanced to seek less barren and quieter lands to the west of their Alpine homes. Two of their four cantons, the Tugeni and Tigurini, who joined in the movement, crossed the Jura and got as far as the land of the Nitiobroges on the middle course of the Garonne. Somewhere in the neighbourhood of Aginnum (*Agen*), they were encountered by L. Cassius

Longinus.* Again the Romans had the worst of the day ; Cassius fell with most of his troops, and the remainder of the army, commanded by C. of L. Cassius Longinus, 107 B.C. Popilius Laenas, could only buy its safety by surrendering its baggage and passing beneath the yoke. For this ignominious convention Popilius was tried for *perduellio* (treason) before the *Comitia Centuriata*. His condemnation was ensured by a tribune, who carried a motion that the ballot law about voting in the popular assembly should be extended to cases of *perduellio* (see note, p. 42), and he went into exile. The disaster was heightened by the revolt of Tolosa (*Toulouse*), in which a garrison had been placed to secure the loyalty of the Tectosages, but it was speedily recovered in 106 B.C. by the new Roman general, Q. Servilius Caepio, for neither Cimbri nor Helvetii showed as yet any desire to take the offensive with vigour. Tolosa was famous for its great temple of the Celtic Apollo, and Caepio improved his opportunity by stripping it of its gold and silver. His plea was that the exchequer needed funds, but unfortunately while the treasure was on the way to Massilia it was seized by robbers ; a rumour, apparently well grounded, declared that the real culprit was Caepio himself. The *Aurum Tolosanum*, as we shall see, proved his ruin and passed into a proverb for any ill-gotten gain.

§ 3. The Roman generals in 105 B.C. were Caepio, who Battle of Arausio, 105 B.C. stayed on as proconsul, and Cn. Mallius Maximus, one of the consuls for the year. Besides these

M. Aurelius Scaurus, a legate of Maximus, had a force under his command. There were thus three armies in Gaul to meet the Cimbri, who, under their king Boiorix, now made a definite advance upon Italy. Scaurus was the first victim ; completely routed on the eastern bank of the Rhone, he was captured and put to death for the haughty spirit with which he defied his captors to move against Rome. Mallius, who had also posted his army on the eastern bank of the river, now summoned Caepio from the western bank, and the combined armies lay side by side at

* Livy, *History*, 65, says L. Cassius consul a Tigrinibus Gallis, prope Helvetiorum, qui a civitate secesserant, in finibus *Allobrogum* cum exercitu cassus est. Mommsen corrects to *Nitobriges* to make the account agree with Orosius, v. 15, who says that Cassius followed the Tigrini to the Ocean.

Arausio* (*Orange*), to the number of eighty thousand men besides half as many camp-followers. So large a force of trained legionaries should have been sufficient to cope with any barbarian horde, but the two commanders were at variance. Caepio despised Mallius as an upstart, and Mallius looked down on his coadjutor as his inferior in official rank; moreover both were destitute of military ability. The Senate sent deputies to bring about a reconciliation, but their efforts were useless, and when Caepio imagined that Mallius was endeavouring to appropriate all the credit of finishing the war, he threw himself against the Cimbri, only to meet with utter defeat. His army perished almost to the last man; his camp was taken, and the victors followed up one triumph by another scarcely less complete over Mallius (Oct. 6th, 105 B.C.). The dead are said to have numbered one hundred and twenty thousand, including eighty thousand legionaries. No such defeat had been experienced since the day of Cannae, and the Roman people were naturally very bitter against Caepio, who was soon afterwards brought to trial. The Senate did its best to calm the panic and to put Italy in a state of defence; no Italian capable of bearing arms was allowed to leave the country, and fresh legions were enrolled. But though the road to Rome was now open, the Cimbri did not press their advantage: after ravaging the lands of the Arverni they passed into Spain.

§ 4. The disaster strengthened the hands of the people

Second Consul-
ship of Marius,
104 B.C.

against the Senate, and accordingly one of its first actions after the battle was to elect Marius to the consulship, despite the fact that the

Jugurthine war rendered it impossible for him to canvass for the office in person, and that only two years instead of the appointed ten had elapsed since his first tenure of the consulship. But the precedent of the younger Africanus was pointed to, and on January 1st, 104 B.C., Marius celebrated his triumph over Jugurtha and entered upon his second

*[This rests upon a conjectural emendation of Livy, *Epitome*, 67. The old text ran: *militum milia octoginta occisa, calorum et lixarum quadraginta. Secundum populi Romani cessionem*, Caepionis bona publicata sunt imperiumque ei abrogatum. The four italicised words have been altered to *secundum Arausionem* and placed at the end of the first sentence. Some Roman historians state that Teutones, Tigurini, and Ambrones had a share in the victory.

consulship. He appears soon to have left the capital and taken up the command of such troops as were left in the Narbonese. He carried with him a number of new levies raised in Italy by the extraordinary exertions of P. Rutilius Rufus, consul in 105 B.C. With these, assisted by contingents from Massilia, the Allobroges, and other peoples of the Transalpine districts who dreaded the Cimbri no less than did the Romans, he was able to put the Narbonese in a good state of defence. He won the affection of his soldiers by the strict justice he displayed, although at the same time he punished any breach of discipline with the utmost severity, and kept his men busily employed in drill and in the construction of a canal to facilitate the transport of supplies between the sea and the Rhone. Meantime the Cimbri had entered Spain, and had been driven out again by the stubborn valour of the Celtiberi. Turning back they passed northward along the western coast of Gaul up to the Seine, and somewhere near Rouen * were joined by other German hordes, notably the Teutones. The confederates made a desperate attack on the Belgæ of Northern Gaul, but those sturdy warriors proved too powerful a foe, and the Germans once more wheeled about and advanced upon Italy. They determined to invade the southern land by two routes and to reunite their forces in the plains of Northern Italy: the Cimbri and Tigurini made for the passes of the Carnic Alps, which they had already threatened in 113 B.C.; the Teutones, Tugeni, and Ambrones† were to enter Italy by the western roads.

§ 5. Towards the end of 104 B.C., Marius had returned for

Battle of Aquæ a space to Rome, to hold the consular Comitia. Sextuæ, 102 B.C.

He made friends with L. Appuleius Saturninus, a popular leader, of whom more will be heard, and in spite of his apparent reluctance was chosen consul a third time.

* This rests on an emendation of Livy, *Epitome*, 67 made by Mommsen. Cimbri, vastatis omnibus quæ inter Rhodanum et Pyrenæum sunt, per saltum in Hispaniam transgressi ibique multa loca populati a Celtiberis fugati sunt; reversique in Galliam belluensis se Teutonibus coniunxerunt. Mommsen reads *in Felleensis*, a tribe living round Rouen. Other Roman historians represent the Teutones as fighting by the side of the Cimbri at Arausio, and even taking part in the victory over Carbo, 113 B.C.

† It is not known who the Ambrones were or whence they came. Possibly they were one of the cantons of the Helvetii. Mommsen calls them "the flower of the Cimbrian host already tried in the battle of Arausio."

He employed the year (103 B.C.), as he had the preceding one, in preparing the province and his army for the impending struggle. When at last it came (102 B.C.), he was consul for the fourth time, with Q. Lutatius Catulus, an aristocrat of the bluest blood, as his colleague. In order to command the passes of the Alps and the coast road alike, he entrenched himself strongly at the juncture of the Rhone and Isara, and suffered the Teutones and Ambrones to cross the broad stream and attack his camp without assuming the offensive. The Germans knew nothing of sieges and soon gave up the task. For six days Marius watched their waggons passing in a continuous stream in the direction of Italy. When they were out of sight, he followed cautiously, entrenching himself every night in a fortified camp. When he came up with them, near Aquae Sextiae, he felt sure of his prey; the Alps were impassable to the cumbersome waggons of the enemy, and their retreat was cut off by his own army. There was first a skirmish by a small stream to the east of Aquae Sextiae, in which the Romans, parched with thirst, drove off the Ambrones with considerable loss. The Germans retreated to their waggons, and all night long their cries and yells disturbed the repose of the legionaries. During the next day and the next night all was quiet, but on the second day after the skirmish by the ford, the barbarians advanced up the hill on which Marius had pitched his camp. They sustained much loss from the pila of the legionaries, but fought bravely until attacked by a force which had previously been despatched to take them in the rear. Then they broke and fled. The Romans slaughtered them without mercy; the entire host was annihilated, men, women, and children alike. Two hundred thousand warriors are said to have perished, and the spot where their bodies rotted is possibly commemorated by the name of *Pourrières* (once *Campus de Putridis*). Close to this village is the Hill of Victory, whither until the French Revolution the country people flocked in the spring to celebrate the destruction of the northern barbarians. Marius gathered the arms and spoils of the enemy into a great heap, and was setting fire to it, when news reached him that he had been chosen consul for the fifth time.

§ 6. Meanwhile the second horde, the Cimbri, guided and swelled by the Helvetii, traversed the Brenner Pass and descended along the eastern bank of the Athesis (*Adige*), into the great plain of Northern Italy. Q. Lutatius Catulus, Marius' colleague, who had been entrusted with the defence of the country, posted himself in two camps on either bank of the river; but the Germans stormed both of these, seized the bridge by which they were connected, and compelled Catulus to retreat hastily across the Po (102 B.C.). They were thus in complete possession of Transpadane Gaul, and they spent the winter in living luxuriously in the comfortable farmhouses which there abounded. Possibly, if they had marched at once upon Rome, they might have snatched a victory, in spite of the annihilation of their comrades at Aix. In the spring of 101 B.C. Marius, after a visit to the capital, marched his forces from Gaul, and effected a junction with Catulus. The two commanders crossed the Po, and at a spot called Campi Raudii, not far from Vercellae (*Vercelli*), they came upon the Cimbri. Catulus commanded in the centre with twenty-two thousand men, while Marius distributed his thirty-two thousand men between the flanks. The numbers of the Cimbri are not known, but their infantry is said to have occupied the sides of a square more than three miles each way, and they had fifteen thousand cavalry. In choosing his position Marius showed his wonted skill, for he had contrived matters so that the enemy, besides having to make a long march before they could come to blows with the legions, had the sun, wind, and dust in their faces. The brunt of the fighting fell on Catulus, who after a hard struggle drove the Cimbri back to their waggons. The women, who had been viewing the progress of the engagement, turned fiercely on the fugitives and slew them and the legionaries indiscriminately. When further resistance was hopeless they killed themselves and their children, preferring death to the slavery that awaited them. At least one hundred and twenty thousand of the invaders were slain, while more than sixty thousand were made prisoners and sold for slaves. Marius and Catulus both celebrated a triumph at Rome; it was de-

served, because their victory was as lasting as it was complete. Henceforth Rome had no German invaders to fear until the days when Alaric led his Goths into Italy.

§ 7. While the deadly contest with the northern tribes was in progress Rome was harassed by a servile
 Second Sicilian Slave War. war. The scene of the uprising was Sicily. In that unfortunate island the evils of the latifundia showed themselves in their most glaring colours, and the condition of the slaves, who toiled on the land chained neck to neck, was worse than in any other part of the dominions of Rome. There had already been one outbreak in 135 B.C., which ended three years later in the crucifixion of twenty thousand unhappy wretches. The origin of the present insurrection was as follows: In 104 B.C. P. Licinius Nerva, the praetor of Sicily, was ordered by the Senate to enforce a recently passed decree that no ally of the Romans should be kept in slavery. Nerva accordingly held a court at Syracuse to inquire into the condition of persons who, although belonging, as they alleged, to nations in alliance with Rome, had been captured by the slave merchants and sold into captivity. Nerva ordered the release of no fewer than eight hundred, but when the numbers of those demanding redress continually increased he grew alarmed at the prevalent excitement and refused to hear any further cases. This was the signal for insurrection; the slaves soon mustered twenty thousand men and chose as their leader a certain Salvius. Their first great success was the defeat of the governor of Morgantine or Morgantia, a strong town which was situated somewhere in the valley of the Symaethus. They afterwards tried to reduce the place itself, but without result. While these events were occurring in the eastern portion of the island, a Cilician slave named Athenion, who acted as overseer for two wealthy landowners, persuaded the slaves under his orders to rise. He soon had a force of ten thousand picked men, and with these he began the siege of Lilybaeum (*Marsala*), but met with no more success than Salvius had done in the case of Morgantia. Probably because he was afraid of being too close to the great cities of Syracuse and Messina, the latter also moved to the west and

summoned Athenion to meet him. It was expected that the rival leaders would quarrel, but Athenion had sufficient sense to see that dissension would result in their common ruin, and came to Triocala (in the neighbourhood of Selinus), the appointed rendezvous, with three thousand men. He was, however, soon thrown into prison, and Salvius, who had assumed the title of King Tryphon,* now built for himself a palace at Triocala. By this time the island was in the utmost confusion; gangs of slaves roamed up and down, looting wherever they went, and only in the fortified towns was there any protection for life or property. In 103 B.C. the government set itself seriously to the task of restoring order, and despatched L. Licinius Lucullus with seventeen thousand men. At his approach Tryphon released Athenion and placed him in command of some horse. A battle was fought at Scirthæa, in which Athenion, after performing many gallant deeds, was left for dead, and the rebels were defeated with the loss of one-half of their number. But the Romans, too, suffered severely, and Lucullus did not venture to assault Triocala until the ninth day after the battle. He failed to take the place, and was subsequently brought to trial at Rome for some misconduct. He was succeeded by C. Servilius, who allowed Athenion (now sole general through the death of Tryphon) to extend his ravages as far as Messana. At last in 101 B.C. a competent general, M'. Aquillius, was sent to the island, and he stayed there until the revolt was crushed. In a great battle he defeated and slew Athenion with his own hand, after which he met with little resistance. A thousand slaves who held out to the last died fighting against one another in the arena at Rome, whither they had been sent to grace the triumph of Aquillius, 99 B.C. So ended the second slave war; and there is nothing further in Sicilian history to record until the island was harried by the iniquities of Verres. Such was the condition to which Roman rule had reduced the land which had once been the home of all that was brightest in Greek philosophy and literature.

* From Tryphon who usurped the throne of Syria, 142 B.C. Salvius was a Syrian by birth.

CHAPTER V.

SATURNINUS AND GLAUCIA.

§ 1. Prosecution of Q. Servilius Caepio : Lex Domitia de Sacerdotiis.—§ 2. L. Appuleius Saturninus.—§ 3. C. Servilius Glaucia.—§ 4. Legislation of Saturninus.—§ 5. Fall of Saturninus and Glaucia.—§ 6. Lex Caecilia Didia : Lex Licinia Mucia : Condemnation of P. Rutilius Rufus.—§ 7. Foreign Affairs : Cyrene.

§ 1. SINCE the fall of C. Gracchus the popular party had been without a great leader. Nevertheless, it was not crushed. The disasters, corruption, and general misgovernment of the restored Senate only roused the democrats to renewed efforts, and they showed their activity by the impeachment first of the incapable generals who had commanded against Jugurtha, and afterwards of those who had caused the disasters in Gaul. The oligarchical faction, in its turn, did its utmost to overturn the legislation of the Gracchi. With regard to the agrarian laws it was completely successful, and in 106 B.C. Q. Servilius Caepio made an attack on the prerogative of the equites to serve as jurors. He proposed that a mixed body of jurors, partly senators and partly knights, should be constituted ; but it is doubtful whether his proposal became law. If it did so, it was speedily abrogated, and Caepio met with summary punishment as the cause of the disaster at Arausio, 105 B.C. He was first deprived of his pro-consular authority by a resolution of the people ; then his property was confiscated, and in 105 B.C. he was accused of treason (*maiestas*) for having embezzled the treasures of Tolosa. Two tribunes—C. Norbanus and L. Appuleius Saturninus—proposed that

a special court should be appointed to try the offence. The Senate did its best to shield Caepio, but the democrats were too excited to be balked of their prey, and after a serious riot, in which Aemilius Scaurus was wounded, carried the day. At first Caepio was condemned to death, but he was afterwards allowed to go into exile, and spent the rest of his days at Smyrna. His fate was shared by Cn. Mallius Maximus, consul for 105 B.C.

About the same time Cn. Domitius Ahenobarbus, an
Lex Domitia
de Sacerdotibus. ancestor of the emperor Nero, took away the right of co-optation from three of the sacred collegia—the *pontifices*, *augures*, and *decemviri sacrorum*. By a law carried as early as 253 B.C., the privilege of electing the *pontifex maximus* and the *curio maximus* had been transferred from the colleges to a minority of the tribes (*i.e.* seventeen out of the thirty-five) chosen by lot. C. Licinius Crassus, tribune in 145 B.C., had proposed the extension of this system of election, but C. Laelius, the friend of Scipio Aemilianus, spoke against the measure and secured its defeat. Domitius was more successful, and his reform lasted until the time of Sulla: it was not unreasonable, for the priestly offices at Rome involved so much empty ceremony, and were in such close alliance with the political machinery of the State, that they might be regarded as secular rather than religious.

§ 2. In 104 B.C. L. Appuleius Saturninus was one of the
L. Appuleius
Saturninus. quaestors, and the task fell to him of regulating in Ostia the corn supply of the capital. For some reason his management of the task was distasteful to the Senate, and he was superseded in favour of M. Aemilius Scaurus, the leading member of that body. The insult made him a bitter antagonist of the Senate, and in 103 B.C., when he was elected tribune, he formed a close alliance with Marius, and passed or proposed several laws in the interests of the democracy. One of his bills was that corn should be distributed at five-sixths of an *as* per modius. C. Gracchus had fixed the price at six *asses* and a third, and the Senate protested against the loss to the exchequer which would ensue. Saturninus refused to listen to their remonstrances, and put the bill to the Comitia Tributa. However,

one of the quaestors, Q. Servilius Caepio, possibly the son of the defeated general of Arausio, armed a body of followers, and overturned the ballot-boxes. The assembly dispersed without recording its decision, but Saturninus was resolved not to allow this assault on the tribunitian sanctity to go unpunished. He carried a law *de maiestate*, which enacted penalties against any person who should violate the majesty of the Roman people. It was couched in general terms, and did not define clearly in what ways the "majesty" of the commonwealth could be impaired; but the omission was afterwards repaired, and in Cicero's time *maiestas*, or in full *maiestas minuta*, comprised such offences as "a governor's quitting his province, or leading his army out of it, or making war without instructions, or entering any kingdom without the authority of the Roman people and Senate, or allowing the enemies of the Roman people to escape for a bribe." It was, in fact, a less forcible and more elastic term than *perduellio*; and while offences of *perduellio* were tried before the whole people assembled in the Comitia Centuriata, those classed as *maiestas* were decided by a standing commission, which was now constituted. A third measure proposed by Saturninus was that allotments of a hundred acres apiece should be assigned in Africa—probably from the domain lands of Carthage—to the veterans of Marius. The proposal became law, but was not carried into effect.

§ 3. Saturninus found a strenuous and able ally in C. Servilius Glaucia, a man whom Cicero set by the side of the Athenian Hyperbolus as a typical demagogue. His enemies accused Glaucia of low cunning and low wit; but, without trying to place him on a level with the Gracchi, he seems to have been a man of very considerable ability as an orator and politician. He had already won prominence by supporting the claims of the equites to the jury courts, of which they were for a time deprived by a law of Q. Servilius Caepio (p. 84), and his alliance with Saturninus drew upon him the bitter hatred of the oligarchs. Metellus, the conqueror of Jugurtha, when censor in 102 B.C., endeavoured to eject both Saturninus and Glaucia from the Senate; but his colleague disapproved

of so violent a proceeding, and the threatened members kept their seats. Saturninus retaliated by making an attack on Metellus with a body of armed men: a regular fight ensued, in which some blood was spilt, and Metellus beat a hasty retreat to the Capitol. About the same time envoys from Mithradates of Pontus came to Rome to secure the support of the Senate, and spent money so lavishly to attain this end that Saturninus, indignant at their bribery, assaulted them. The Senate proposed that he should be given up to the envoys as guilty of a violation of international law, but Saturninus appealed to the people, and won the day. In the elections for 100 B.C. he, with Marius and Glaucia, were candidates for the tribunate, consulship, and praetorship respectively. The soldiers of Marius were present in ample numbers, and Marius and Glaucia obtained the offices they desired. Saturninus, however, nearly failed: nine places on the tribunitian bench were filled up, and the tenth was hotly contested by Saturninus and Nonius. There was another scene of riot, in which Nonius was beaten to death by the democrats, and Saturninus became tribune.

§ 4. Marius was now consul for the sixth time, and his

first aim was to find lands for the soldiers who
Legislation
of Saturninus,
100 B.C. had conquered at Aquae Sextiae and Vercellae.

The work of proposing a measure to this effect was entrusted to Saturninus, who framed bills largely resembling those already carried by him in 103 B.C. The first was that the Gallic lands recently occupied by the Cimbri,* which by the law of war were now at the disposal of the State, should be allotted to colonists, and that every senator who refused to swear obedience to the law within five days should be expelled from the Senate. This proviso was intended to prevent the Senate from shelving the law as soon as it was carried, on the ground that it was informal or contrary to public interest. A second bill proposed to establish citizen colonies in Gaul, Sicily, Achaea, and Macedonia; and in order that Italians should not be excluded, Marius was empowered to confer the franchise on a certain

* It is doubtful whether the reference is to land in Transalpine or Cisalpine Gaul.

number of settlers ; * the funds for carrying out the settlement were to be provided from the fine imposed on Caepio for embezzling the gold of Tolosa. The Senate offered what resistance it could, but the combination of Marius' veterans and Italians was too powerful: the country voters flocked to Rome as they had done in the time of the Gracchi; the tribunes who vetoed the laws were driven from the place of voting, and the proposals were carried by sheer force. When the laws were discussed in the Senate, Marius at first declared that he would not take the required oath, but on the fifth day he again convened the House and said he was willing to obey the law, so far as it was law—that is, so far as it had been carried in constitutional form. The rest followed his example. Only Metellus Numidicus absolutely refused, no matter what the consequences might be. He at once left Rome and went to Rhodes, where he busied himself with philosophical studies. A formal decree of banishment was at once pronounced against him.

§ 5. Before the year was over the alliance between the

Fall of
Saturninus
and Glaucia.

three leaders showed signs of dissolution. Marius had hesitated long before taking the oath, and when a certain Equitius declared that he was a son of Tiberius Gracchus, he drew on himself additional unpopularity by throwing the impostor into prison. Moreover, the proletariat disliked the colonial law; the Equites, whose interests were solely on the side of law and order, were disgusted by the late scenes of violence; and finally, Marius himself was so completely confused and lost amid the storms of the Forum that his authority counted for little. He did not seek re-election to the consulship, although it had been predicted to him when a boy that he would be consul seven times, but proposed to content himself with the task of allotting the lands among his soldiers. But for Saturninus and Glaucia there was no choice; they had either to face prosecution or secure re-election. Accordingly Saturninus offered himself for a third tribunate, and Glaucia for the consulship, although

* Cicero, *Pro Balbo*, xxi, 48: "Saturninus C. Mario tulerat ut in singulas colonias ternos cives Romanos facere posset." This proposes to emend *ternos* to *trecentos*.

he was still prætor. The tribunitian elections came first in the year; and Equitius was dragged from his prison by the mob and chosen along with Saturninus. On the day of the consular elections it was seen that C. Memmius, once the popular agitator in the Jugurthine war, but now the candidate of the oligarchy, would be returned, and the democrats fell upon him in the Forum and beat him to death with clubs. But the Senate was now prepared: the nobles and their adherents armed for the struggle, and by the mouth of M. Aemilius Scaurus urged Marius to defend liberty and the laws. Marius was most reluctant to proceed against his allies, but at last accepted the usual dictatorial powers given to the consul in a national crisis.* On the day following, the senatorial party gave regular battle to Saturninus in the Forum, and easily prevailed. The democrats fled to the Capitol; but the water pipes were cut off and they were compelled to surrender. Marius confined their leaders in the senate-house, hoping that they would thus be safe; but he did not know how deep was the excitement, and, before any decision could be arrived at with regard to their punishment, the knights and young nobles tore open the roof and stoned them to death. Saturninus and Glaucia both perished, and Marius, disgusted at his loss of influence and ashamed of the foolish figure he had cut all through the year, retired to Asia to await a new opportunity for the display of his military genius. His action was accelerated by the recall of his rival Metellus, which was voted unanimously by the people amid the greatest rejoicings.

§ 6. This decisive victory of the Senate secured tranquillity for the next ten years. The alliance

Lex Cæcilia
Didia,
98 B.C.

between the Equites and the people, which had been a main feature of the policy of C. Gracchus,

was completely broken, and the wealthy, in their dread of anarchy, for a time joined heartily with the nobles. Two old disputes soon revived to disturb the general quiet; these were the question of bestowing the franchise on the

* Cicero, *Pro Rubelio*, vii. 20: "Fit senatus consultum ut C. Marius L. Valerius consules adhiberent tribunos plebis et prætores quos eis videretur operamque darent ut imperium populi Romani maiestasque conservaretur." This was equivalent to the Ultimate Decree.

Italians, and the equestrian monopoly of the jury courts. In 98 B.C. the consuls Caecilius and Didius passed a law ordaining that every bill should be set up for three *nundinae*, or market days, before it was put to the vote. This would enable the country people to consider its contents when they came to the city with their market produce. There was also a clause forbidding two bills of distinct character to be joined together: each was to be put separately to the vote. Another law carried in 95 B.C. by the consuls L. Licinius Crassus and Q. Mucius Scaevola (afterwards Pontifex Maximus),* and known from its authors as the *Lex Licinia Mucia*, was of greater consequence, for it had no small influence on the coming revolt of the allies. *Lex Licinia Mucia*, 95 B.C. The bill ordered all Latins and Italians resident in Rome to leave the capital, the reason being that they sometimes voted in the assemblies, or at least joined in noisy demonstrations at the *contiones*.

In 92 B.C. there was a *cause célèbre* which once more proved the determination of the Equites to use their control of the jury courts for the oppression of the provincials. In 94 B.C. Q. Mucius Scaevola the Pontifex was Governor of Asia, and the justice of his administration won for him universal esteem. His efforts were supported by his legate, P. Rutilius Rufus, who paid no respect to the *publicani*, but punished them impartially for any acts of oppression which they committed. The whole order of tax-collectors rose up in revolt, and when Rutilius returned to Rome he was charged with extortion. In his defence he had recourse neither to L. Crassus nor M. Antonius, the two great orators of the day, but entrusted his case to his nephew Cotta, then young and unknown. All the evidence went to prove his innocence, but the unscrupulous Equestrian jury was determined to punish him for his independence, and convicted him. Rutilius retired to Asia, where he received an enthusiastic welcome from the very people he was declared to have plundered. Sulla invited him to return to the capital, but he preferred to occupy himself with Greek literature, and

* To be distinguished from his kinsman Q. Mucius Scaevola the Augur. Both were great jurists and helped in the legal education of Cicero.

ended his days abroad. He was living in Smyrna when Cicero visited him there in 78 B.C.*

§ 7. Abroad, matters were almost equally tranquil.

There were no wars of importance, although
Cyrene. there was some fighting in Spain. King Ptolemy Apion, of Egypt, dying in 96 B.C., left to the Romans the kingdom of Cyrene, just as Attalus III. of Pergamus had done in the case of his dominions. Possibly such an agreement had formed part of the terms on which Ptolemy had held his kingdom; but though the Senate accepted the gift, it took no measures to administer the new acquisition. The chief cities—Apollonia, Cyrene, Ptolemais, Arsinoë or Taucheira, and Berenice or Hesperides—were declared free and practically left to govern themselves. Afterwards Cyrene was joined with Crete and formed into a province.

* Velleius Paterculus describes him as "vir non sæculi sui sed omnis ævi optimum."

CHAPTER VI.

THE SOCIAL AND FIRST CIVIL WAR.

§ 1. M. Livius Drusus : his Measures.—§ 2. Death of Drusus.—§ 3. The Revolt of Asculum.—§ 4. The Social War—First Campaign, 90 B.C. : Operations in Picenum ; in Central Italy.—§ 5. Operations in Southern Italy.—§ 6. Concessions of the Romans : Lex Iulia ; Lex Plautia Papiria.—§ 7. The Second Campaign, 89 B.C. : in Picenum and Central Italy.—§ 8. In Southern Italy.—§ 9. The Third Campaign, 88 B.C.—§ 10. Results of the War : Lex Iulia ; Lex Calpurnia ; Lex Plautia Papiria ; Lex Pompeia.—§ 11. The Italians and the Tribes.—§ 12. Financial Distress, 89 B.C.—§ 13. The Laws of P. Sulpicius Rufus.—§ 14. Measures of Sulla, 88 B.C. : he leaves for the East.—§ 15. Cinna and Octavius.—§ 16. The Adventures of Marius, 87 B.C.—§ 17. Return of Marius.—§ 18. Death of Marius.—§ 19. The Rule of Cinna and Carbo : Death of Cinna.

§ 1. NINE years after the fall of Saturninus, there appeared another reformer, this time from the ranks of the aristocracy. This was M. Livius Drusus, the son of the opponent of C. Gracchus. About the ultimate aim of his policy there has been much discussion : it has variously been supposed, first, that he was above all a champion of the Senate against the equites ; secondly, that the reform he desired most was the enfranchisement of the Italians ; thirdly, that whereas he began as an ardent supporter of the Senate, its opposition converted him into an antagonist, and led him to espouse the Italian cause. Perhaps the safest view to take is that Drusus wanted to strengthen the Senate by bringing it into harmony with the equites, but that while doing this he had very great sympathy with the claims of the Italians as well.

His first measures went on the same lines as the reforms of the Gracchi. A *lex frumentaria* proposed the distribution of cheap corn to the populace, while a *lex de coloniis* provided for the foundation of colonies in

Italy and Sicily. Appian says that these had been voted long since, but never carried into effect: possibly he refers to the twelve proposed in 122 B.C. by the elder Drusus; if so, it would be singularly appropriate that the son should fulfil the father's promises. These measures were calculated to win over the populace, but presented no novel features; what was new was the *lex iudiciaria*, which proposed to admit three hundred equites to the Senate, and then to choose the jurors for the *quaestiones perpetuae* from this enlarged body.* The equites opposed him furiously, for although a certain number would be promoted to senatorial dignity, there would be far more whose importance would be lessened by the measure. The senators objected to the inrush of so many newcomers, and were generally hostile. Chief among these were the consul Marcius Philippus and Q. Servilius Caepio. There was, indeed, just as there had been in the quarrels between patricians and plebeians, a moderate party in the Senate, which was inclined to welcome a beneficial reform. Such were M. Aemilius Scaurus, the *princeps* of the body, L. Licinius Crassus, Q. Mucius Scaevola the Augur, M. Antonius, Q. Lutatius Catulus, and P. Sulpicius Rufus; but the group, though weighty by reason of its moral worth, was small in numbers.

§ 2. As soon as Drusus introduced his proposals, he foresaw that it was hopeless to carry them separately. The populace, though anxious for colonies and free distributions of corn, had no wish to deprive the equites of their judicial powers, and the wealthy Italians feared that the establishment of colonies meant the confiscation of their land. Therefore Drusus, despite the Lex Caecilia Didia of 98 B.C. (p. 90), put them to the vote in a body, and arrested the consul when he attempted to break off the polling. By this means all three laws were passed; but Philippus declared them illegally carried, and it seemed that he would unite with the equites to use force. At this critical juncture it became known that Drusus had pledged himself to secure the franchise for the

Death of
Drusus.

* Another view is that the Senate was not increased, but a new judicial body formed of equal numbers of equites and senators. Livy confirms this when he says " *Unaeque parte iudicia penes senatum et equestrem ordinem essent* "; and it is not contradicted by Appian, our other first-rate authority.

Italians. The news excited intense bitterness, and accusations of treachery were levelled against the reformer. All kinds of absurd stories were on men's lips: one was to the effect that the Latins had planned the murder of the consul Philippus; another that ten thousand Marsians were marching on Rome with daggers concealed beneath their garments; a third that all the nations of Italy had sworn to obey Drusus in everything, and to spare neither limb nor life, nor children nor parents, until they had won the franchise. The Italians were anxiously waiting for the bill to be submitted to the people, when Drusus was attacked by a severe fit of fainting. Throughout Italy prayers were offered up for his recovery, but a few days later he fell down in the porch of his house, stabbed, as it was asserted, by an assassin's dagger. Rumour attributed the crime to Philippus and Caepio, but no inquiry was held into his death, which may after all have been due to natural causes. As soon as he fell, the tribune Varius, prompted by the equites, proposed that a special commission should try for treason the most conspicuous of his supporters. The motion was carried, and many Romans who had favoured the Italian cause were driven into exile. But the Italians, once more disappointed, would wait no longer. Drusus' murder was the signal for the Social War.

§ 3. The War of the Allies broke out in the year 90 B.C., when P. Rutilius Lupus and L. Julius Caesar were the consuls. The scene of the first outburst of hostility was the town of Asculum in Picenum, where C. Servilius, the Roman praetor in authority, hearing that the townspeople were sending hostages to their neighbours in token of their sincerity to the national cause, threatened them publicly in the theatre with exemplary punishment. He had but a small escort with him, and the sight of their naked axes—the symbol of magisterial authority—roused the people to fury: they tore Servilius in pieces, closed the town gates and massacred every Roman in the place. This was the signal for a general rising: Marsi, Paeligni, Marrucini, Vestini, and the tribes of Samnium, joined in the insurrection, until nearly all central and southern Italy was involved. In Etruria and Umbria, where the great land-

The Revolt
of Asculum,
90 B.C.

owners were strongest, and the free population had almost disappeared, there was as yet no open revolt. Campania also, with its great municipia of Nola, Nuceria, and Neapolis, remained faithful to the Romans, and the same remark applies to other Greek towns like Rhegium, which were not dissatisfied with their political condition. Again, the Latin colonies (*e.g.* Alba Fuentia, Aesernia, Beneventum) refused to make common cause with the insurgents, and proved, as they had done long before in the struggles with Pyrrhus and Hannibal, their value as bulwarks of the empire. The revolted tribes soon formed themselves into a confederation, and selected as their capital Corfinium (*Pentima*), a Paelignian town situated among the heights of the Apennines, about sixty miles due east of Rome. In their organisation the allies followed Roman models: a senate of five hundred was selected from the leading men of the various tribes, and from these two consuls and twelve praetors were chosen to hold office for a year. A curia and forum were built, a new coinage issued, and the name of Corfinium changed into Italia, to mark the national character of the rising. The first consuls chosen were Q. Pompeidius Silo, a Marsian, and C. Papius Mutilus, a Samnite, while among the more prominent of their officers were T. Lafrenius, C. Pontilius, Marius Egnatius, M. Lamponius, C. Judacilius of Asculum, and Vettius Scato.

§ 4. The Senate on its side acted with energy. Men of

The Social War.
First Campaign.
90 B.C.

all parties forgot their differences in the determination to fight to the last. The Greek cities of Asia were ordered to despatch ships and mariners to Italy; troops were collected from nations as remote as Gauls and Numidians, and a force of at least twenty legions, or one hundred thousand men, was put into the field. Of the consuls, P. Rutilius Lupus was commissioned to lead the attack in central Italy, while his colleague L. Julius Caesar reduced the Samnites to obedience. Each of the commanders-in-chief had five legates at his orders: those of Lupus were Cn. Pompeius Strabo, the father of the famous Pompey, Q. Caepio, C. Perpenna, Valerius Messala, and, greatest of all, C. Marius. The legates of Caesar were P. Lentulus, T. Didius, P. Licinius Crassus, M.

Marcellus, and L. Cornelius Sulla, the last-named of whom was thus separated from his great rival.

One of the first objects of the Roman campaign was to reduce the revolted town of Asculum in Picenum. Cn. Pompeius Strabo, who was in command here, was beaten back by the allies under Judacilius and Lafrenius. He took refuge in the Latin colony of Firmum (*Fermo*), and remained there until the arrival of a relieving expedition under Servius Sulpicius enabled him to sally out and defeat Lafrenius, who fell in the engagement. After this the allies fell back upon Asculum, which Pompeius at once invested. But though the Romans never relaxed in their endeavours to reduce the place, it was not until late in the following year that they succeeded in doing so.

P. Rutilius Lupus, who was commander-in-chief in central Italy, was there opposed by the Marsian Q. Pompaedius Silo. In this quarter one of the first acts of the insurgents had been to besiege the Latin colony of Alba Fuentia. Lupus marched to the relief of this important position, and pitched his camp on the Tolenus, a stream which flows north into the Velinus near Reate. At some unknown place his legate, Perpenna, was defeated with the loss of four thousand men, whereupon the consul deprived him of his command and handed over his troops to Marius. Anxious to wipe out this disgrace, Lupus crossed the Tolenus; but on the further bank he was surprised by Vettius Scato, and utterly routed. No fewer than eight thousand Romans perished, and the consul himself was among the slain.* Marius, who crossed the river later on with his division, took the allies' camp; but although the Marsians retreated, the Roman advance on Alba was foiled. As Caesar, the surviving consul, was too busily engaged in the south to return to the capital, no successor to Rutilius was appointed, but the command was bestowed by the Senate jointly upon Marius and Caepio.

* The date was June 11. This disaster is alluded to in Ovid, *Fasti* vi. 557-560 :—

“Hanc (sc. diem) tibi Quo properas, memorant dixisse, Rutili?

Luce mea Marso consul ab hoste cades.

Exitus accessit verbis; fluminaque Tolenti

Purpureum mixtus sanguine fluxit aquis.”

Caepio, however, proved as unfortunate or as incapable as his predecessors: for when Pompaedius Silo appeared in his camp and offered to betray to him his army, he was foolish enough to believe in his enemy's sincerity. He followed blindly, and was cut to pieces with a great part of his army. Marius, now in sole command, put a somewhat better complexion upon affairs: for a long time he refused to give battle at all, but when he did, routed the enemy with the loss of six thousand men. In spite of this success he continued to exercise the same caution, and when Pompaedius Silo sent to him the taunting message, "If you are a great general, Marius, come down and fight," he merely replied, "If you are a great general, compel me to fight against my will." Possibly, however, Marius felt some sympathy for the aspirations of the Italians, a view that is borne out by the story, that when the two armies came in sight, many of the combatants recognised each other, some as kinsmen, others as old comrades; and so affected were they by the memory of bygone days that they dropped their weapons and joined in execrating the suicidal struggle. At last Marius came up and met Pompaedius Silo, and the two generals greeted each other in friendly fashion and bade their soldiers abstain from fighting.

§ 5. Thus the Romans barely held their ground in northern and central Italy, for Asculum was still in the hands of the insurgents and Alba Fucentia remained in a state of siege. In southern Italy they met with nothing but reverses. Here, as in other quarters, the first object of the Italians was the reduction of the Latin colonies planted in their midst. Vettius Scato, their leader, assailed Aesernia (*Isernia*) in northern Samnium, and when the consul, L. Julius Caesar, marched to its relief, he was defeated with a loss of two thousand men. The town, after resisting desperately for some time, surrendered, and simultaneously its neighbour Venafrum (*Venafro*) was betrayed to the confederate general Marius Egnatius. On retiring from his fruitless expedition, Caesar met with a second defeat, so serious that he was obliged to retire for a while to Teanum Sidicinum in northern Campania, leaving the greater part of that fertile district at the

mercy of the insurgents. His subordinate officer, P. Licinius Crassus, who had been sent by him to secure the fidelity of Lucania, was routed on his march southwards by M. Lamponius and shut up with the remnant of his forces in Grumentum (*Saponaro*), not far from Tarentum. Thus completely masters of Samnium and Lucania, the confederates pressed onwards in their victorious career: there was no army to stop them, and they swept down upon Campania, as their ancestors had done more than three centuries before. The municipia and Greek cities opened their gates for the most part without resistance. Nola was betrayed to C. Mutilus, and the fall of this strong place was quickly followed by the surrender of Stabiae, Minturnae, Liternum, Salernum, Pompeii, and Herculaneum. At Acerrae (*Acerra*), however, a few miles south of Capua, the victorious career of Mutilus was for a while checked, and while he paused to besiege it, Caesar advanced southwards from his quarters at Acerrae. But Caesar had to contend against the half-heartedness of his own troops, many of whom were not of Roman birth: a whole troop of Numidian horse deserted him as soon as they saw a son of Jugurtha, Oxyntas by name, in the ranks of the confederates, and Caesar found it advisable to send the whole force back to Africa. Elated by this piece of good luck, Mutilus boldly assaulted the Roman camp; but he was repulsed with a loss of six thousand men. This was almost the first real victory won by the Romans in the campaign, and was greeted with natural enthusiasm in the capital. Yet Caesar himself was shortly afterwards beaten by Marius Egnatius and forced back once more upon Teanum. He soon re-organised his forces and marched again to Acerrae, which the confederates showed no signs of giving up.

§ 6. Thus the general results of the first campaign were
Concessions of
the Romans. altogether favourable to the insurgents. The Romans were not sure of any part of the country except Latium and northern Campania, for at the close of the year the Etruscan and Umbrian towns revolted and could only be coerced by armed force. Moreover, there was alarming news from the provinces: Spain threatened to revolt; the Salluvii in Gaul actually did so; worst of all,

Mithradates Eupator, the ambitious and powerful king of Pontus, was busily intriguing with his neighbours and preparing for a general attack on the Roman province. For the moment fear did away with party feeling at Rome. A motion was carried by the tribune M. Plautius Silvanus, which transferred the Commission on High Treason (*Quæstio Varia*) from the Equites to a jury elected by the tribes,* and so ended the spiteful prosecutions in which the moneyed men had thus far indulged. Then the people began to think of compromise with the insurgents. At the close of 90 B.C., when L. Caesar returned to Rome to hold the consular elections, he carried a law (*Lex Iulia*) con-

Lex Iulia,
90 B.C.

ferring the franchise upon every Italian community which had not yet joined the secessionists, and two of the tribunes for 89 B.C., the above-mentioned Plautius and C. Papirius Carbo, passed another bill (the *Lex Plautia Papiria*) that any resident of an Italian town-

Lex Plautia
Papiria,
89 B.C.

ship who presented himself before a Roman magistrate within two months' date might so acquire the franchise. It was a bitter recantation for the selfish citizens, but it was one that was necessary in order to spread the check of revolt. It was politic, too, for it offered rewards to all those Italians who deserted the national cause, and so broke a power never too strongly united.

§ 7. The consuls for 89 B.C. were Cn. Pompeius Strabo

The Second
Campaign,
89 B.C.

and L. Porcius Cato, both of whom had been actively engaged in the operations of the preceding year. Before winter was over the Marsians despatched a force of fifteen thousand men to rouse Umbria and Etruria to arms; but the effort came too late. Both Umbrians and Etrurians had been bought over by the *Lex Iulia*, so that the expedition was received with hostility and during its retreat cut to pieces by Pompeius. With the north thus pacified, it became possible for the two consuls to strike a decisive blow against the heart of the confederation. Making a joint attack on the Marsian territory,

* Fifteen jurors were elected by each of the thirty-five tribes: among them were senators, equites, and plebeians alike. This *Lex Plautia Iudicialis* is supposed to be a corollary of the *Lex Plautia de Vi* (see p. 105).

Pompeius from the north and Cato from the west, they won many successes in the neighbourhood of Lake Fucinus, and probably raised the siege of Alba Fucentia. When Cato at length fell, his work was continued by his colleague, not only by force of arms, but by negotiations as well, in the course of which, as we learn from Cicero, who ^{In Picenum and Central Italy.} was present, he tried to induce his opponent, Vettius Scato, to accept conditions of peace.

Meantime the siege of Asculum went on without intermission. At first the operations were conducted by Sentus Julius Caesar, a legate of Pompeius, and after his fall by another legate, C. Baebius. Finally, Pompeius himself was enabled, by the submission of central Italy, to undertake the task himself. The people of Asculum defended their town with a desperation to which the frequent discovery of leaden bullets in the neighbourhood still bears significant testimony. Judacilius, himself a native of the place, collected an army of sixty thousand men, and endeavoured to force his way through the seventy-five thousand troops of Pompeius. The Romans had the better of the struggle, but Judacilius was able to enter the town and nerve the citizens to a final effort. At last it became apparent that the situation was hopeless. Judacilius tortured to death all the leaders of the Romanising faction on whom he could lay hands, and then, neither expecting mercy nor granting it himself, took poison. The entry of the Romans was the signal for a further slaughter: the wealthier citizens were massacred, the poorer driven out into beggary, and the whole domain confiscated to the State. It was the traditional practice of the Romans, and this cruelty only recalled the punishment of Capua and of the mutineers of Rhegium.

§ 8. The chief command in southern Italy was given to Sulla, who speedily wrested from the confederates ^{In Southern Italy.} their conquests of the preceding year. Herculaneum and Stabiae admitted the Romans, and in a great battle under the walls of Nola, L. Cluentius, the general of the confederates, was routed with a loss estimated variously at twenty or fifty thousand men. Still, there were disquieting symptoms of insubordination among the Romans,

and Aulus Postumius Albinus, the commander of the fleet which was acting in conjunction with Sulla, aroused such antipathy by his haughty demeanour that he was murdered by his own men. Such incidents seem not to have been uncommon about this time, for Cato, the consul of this year, was almost stoned to death by his rebellious troops, and a similar fate befell another consul, Pompeius Rufus, not long afterwards. From Nola, Sulla advanced into the lands of the Hirpini, and terrified the townspeople of Aeclanum into surrender. Thence he wheeled round into the mountains of Samnium, and appeared before Aesernia. C. Papius Mutilus was defeated, and soon afterwards Bovianum (*Boiano*), which had been constituted the federal capital since the fall of Corfinium, was captured. The power of the Samnites was now quite broken, and with the fall of the mainstay of the confederates, the Romans were able to turn their attention to the outlying districts. An advance made into Apulia by C. Cosconius and Q. Luceius was attended with complete success, and Larinum, and apparently Canusium, were recovered by the Romans. The Lucanians and Bruttii also submitted.

§ 9. Thus, in their second campaign, the Romans were once more masters of Italy. With the exception of a few isolated fortresses, the whole country from Volaterrae and Asculum to Tarentum and Rhegium was in their hands. Even in Samnium, only Aesernia, where the senate of the Italians was assembled, held out. Yet the undaunted mountaineers, who had once fought with Rome for the prize of supremacy over the peninsula, did not yield without one last effort. Many of their leaders had fallen, but the indefatigable Pompaedius Silo was still alive. He took over the command of the remnant of the insurgents, but his forces were reduced to thirty thousand men, and even the arming of all the slaves who joined him only added twenty thousand to this number. In spite of this he contrived to recover Bovianum, but soon afterwards was defeated by Mamercus Aemilius, and slain, together with six thousand of his troops. We hear of other engagements about this time, but they were only the dying embers of the conflagration: Cn. Pompeius Strabo was

The Third
Campaign,
SS B.C.

busied in restoring order in central Italy, while Q. Metellus Pius, the son of Jugurtha's conqueror, completed the subjugation of Apulia by the reduction of Venusia, in which three thousand captives were taken. Lucania, however, was in the power of Lamponius, who even marched into the extremity of Bruttium, where he made a futile assault on Rhegium. Practically, however, the disarmament of the enemy was complete: only in the strong fortress of Nola and in their own highland fortresses did the Samnites resist.

§ 10. It remains now to sum up the results of the struggle. We have seen that, although many
 Results of the War. aliens contrived to get themselves entered on the census rolls by false pretences, Rome strenuously refused to grant the franchise to her allies. Regardless of the fact that Italy had long ago been Romanised in all other points, she persisted in using the Italians as a field for raising taxes and recruiting her armies, but declined to grant them the merited reward of the *civitas*, so depriving them, for instance, of the right of free intermarriage with Romans, the right of receiving bequests from Romans, the right of voting at elections, and even the right of residing at Rome without fear of expulsion. The rising of the Italians forced her to concede under compulsion the privileges which she had refused to grant voluntarily, and this was done by four different laws—the *Leges Iulia, Calpurnia, Plautia Papiria*, and *Pompeia*. (1) The *Lex Iulia* was carried by the consul L. Julius Caesar at the end of 90 B.C. By this law the inhabitants of any state not in actual rebellion might, if they chose, be enrolled bodily upon the list of Roman *cives*.* Probably most of the towns seized the opportunity—certainly the Etruscans and Umbrians did so with eagerness; still, there were a few federate states (*civitates foederatae*) which possessed treaties with Rome of so exceptionally favourable a character that they hesitated. This happened at Heraclea and Neapolis, as we know from Cicero's speech *Pro Archia*. (2) The *Lex Calpurnia* was carried in 89 B.C., on the motion of L. Calpurnius

* The authority is Appian I. 49: Ἰταλιωτῶν . . . τοῖς ἐν τῇ ἀντιμαχίᾳ παραμένοντας ἐφημισατο (ἢ βούλη) εἶναι πολίτας, οὗ δὴ μάλιστα μόνον πάντες ἐπεθύμουν. καὶ ταῦτε ἐς Τυρρηνοὺς (the Etruscans) περιεπεμπον, οἱ δὲ ἄσμεροι τῆς πολιτείας μετελαμβάνον.

Piso, who was either praetor or tribune in that year. This law allowed a commanding officer to give the *civitas* to his soldiers, thus legalising the action of which Marius had set the precedent in the Cimbric wars, when he bestowed the franchise on three thousand natives of Camerinum. Q. Metellus Pius availed himself of this means of rewarding the bravery of his troops.*

(3) The *Lex Plantia Papiria*, otherwise the *Lex Silvani et Carbonis*, was passed by M. Plautius Silvanus and C. Papirius Carbo, tribunes in 89 B.C.

This law was perhaps intended to cover the case of places like Heraclea and Neapolis, which were reluctant to surrender their treaties, and extended the facilities of enrolment to single persons rather than entire corporations, subject to the fulfilment of these conditions: (i.) they must be citizens of some federate state, (ii.) they must have permanent residence (*domicilium*) within the bounds of Italy, (iii.) they must register their claim for the *civitas* before a Roman praetor within two months of the date of the passing of the law.† (4) The *Lex Pompeia* was proposed by Cn. Pompeius Strabo, consul in 89 B.C. It gave full citizenship to the Latin colonies in the valley of the Po, and conferred Latin rights (*ius Latii*) on certain communities in Transpadane Gaul (e.g. the Euganei) which did not before enjoy them.

The net effect of these legislative enactments was that the whole of the peninsula as far as the Po, and such Latin colonies as existed north of that river, were invested with the *civitas*. Thus all the communities of Cispadane Gaul received the franchise, but by the *Lex Pompeia* a distinction was made with regard to those of Transpadane Gaul, the reason being that Cispadane Gaul had long since been assimilated to the rest of Italy, while Transpadane Gaul, and especially the townships in the Alpine valleys, had not yet

* See Cicero, *Pro Archia*, x. 26: "Quid? A Q. Metello Pio . . . qui civitate multos donavit, neque per se neque per Lucillos impetravisset (Archias)?"

† The conditions are given in *Pro Archia*, iv. 7: Data est civitas Silvani lege et Carbonis, si qui federatis civitatibus adscripti fuissent, si item, cum lex ferretur, in Italia domicilium haberent; et si sexaginta libris auri platformam essent professi. Archias claimed that he had fulfilled these conditions: (1) he was a citizen of Heraclea; (2) he had *domicilium* at Rome; (3) he had registered his claim before Q. Metellus Pius. His case was pleaded with success by Cicero in 62 B.C.

attained to the civilisation of the Italian civic community. These latter were therefore assigned as dependent and tributary villages to particular towns (Brixia, Tridentum, Mediolanum, Verona), and by the legal fiction that they were Latin colonies, they received the rights of this inferior franchise.

§ 11. It was thus settled that the Italians should possess all the rights of Roman citizens; but before and the Tribes. they could be fully invested with the franchise it was necessary for them to be registered by the censors in one or other of the thirty-five tribes. But here the Romans stepped in with the restriction that the new voters should be admitted to eight tribes only.* In this way they would be able to keep the predominant power in the comitia, whereas if the Italians were registered in all the tribes their overwhelming numbers would enable them to carry whatever legislation they pleased. For the time the Italians acquiesced in the restriction, but before long the question became a burning one in politics. At first there was no definite arrangement at all: the censors of 89 B.C. abandoned their task, simply because they did not know in which of the tribes each particular district of Italy was to be included, and it was not until 71 B.C. that the matter was settled. For the present it seems probable that some temporary expedient was devised by the presiding magistrate, so that as many Italians as came to the capital would be allowed to vote. But naturally it was only two classes of Italians who exercised the franchise: the wealthy, who had the means to make the requisite journey to Rome, and the rabble, who had no ties to keep them in their native towns, and who hoped to earn a living at Rome by the help of the corn doles and by the sale of their votes. The numerous middle class would be unable to neglect their home duties for the journey, and if, as mentioned above,

* The authorities differ. Appian says the Italians were registered in ten tribes, voting after the existing thirty-five: 'Ρωμαῖοι (l. 49) τοῦσδε τοὺς νεοπολίτας οὐκ ἐς τὰς πεντή καὶ τριάκοντα φυλάς, αἱ τότε ἦσαν αὐτοῖς, κατέλειξαν, ἵνα μὴ τῶν ἀρχαίων πλείονες ὄντες ἐν ταῖς χειροτονίαις ἐπικρατοῖεν, ἀλλὰ δεκατενοντες (another reading is δέκα πέντε), ἐν αἷς ἐχειροτόνουν ἔσχατοι.

Velleius Paterculus says: "Ita civitas Italiae data est, ut in octo (of the existing thirty-five, or were they new ones?) tribus contribuerentur novi cives, ne potentia eorum et multitudo veterum civium dignitatem frangeret."

the Italians were only registered in eight of the tribes, their political influence would not be great. Still, a great step in advance had been made, for the political privileges were by no means the most important part of the *civitas*. The war cost three hundred thousand lives, but it added eighty thousand new citizens to the census rolls, and it prepared the way for the enfranchisement of the provincials which was soon to commence.

§ 12. The close of the Social War inaugurated fresh

Financial
Distress.
89 B.C.

party conflicts at Rome. There were many disturbing influences at work in the capital. First, the war with the allies had created financial distress among all classes. The State itself was so severely embarrassed that on one occasion the Government was compelled to sell public lands on the Capitol, in order to replenish the exhausted treasury. There were also many prosecutions for debt impending: the debtors either could not or would not pay their creditors, and pleaded immunity under an obsolete law (probably the *Lex Genucia* of 348 B.C.) which absolutely forbade the lending of money at interest. The matter was brought before Aulus Sempronius Asellio, the Praetor Urbanus for 89 B.C.; and when he seemed likely to give his decision against the creditors, the money-lenders, attacking him in the broad light of day and in the very Forum as he was offering up sacrifice, drove him into a shop and murdered him. The Senate tried to discover the perpetrators of the deed, but without success. However, the Equites brought upon themselves general odium, and a *Lex Plautia de Vi* was carried by M. Plautius Silvanus, which enacted penalties against rioting and other acts tending to disturb the public peace; further, the Equites were for a time deprived of the sole possession of the jury courts, the filling of which was handed over to the voters in the tribes (see p. 99). A second cause of commotion was the exclusion of the Italians from all but eight of the tribes. Thirdly, Mithradates of Pontus had early in the year openly broken with Rome: the command against him had been assigned to Sulla, to the great annoyance of Marius, who was determined to avenge the slight at the first opportunity. He was now seventy years of age, but as restless as ever,

and he remembered the prediction of a soothsayer that he was to be consul seven times. To show that he was not incapacitated by old age, he went daily to the Campus Martius and exercised himself on horseback, in company with men in the prime of life. He found an able ally in P. Sulpicius Rufus, a distinguished orator and soldier, who was one of the tribunes for this year.

§ 13. It is difficult to form a correct idea of the motives which actuated Sulpicius. We only know that, whereas he had previously spoken against the restoration of the Varian exiles, he now changed his views and proposed (1) that the Italians should be enrolled in all the thirty-five tribes, (2) that the sympathisers with the Italian cause who had been exiled by the Varian Commission should be recalled, and (3) that the command in the East should be given to Marius. The two consuls, L. Cornelius Sulla and Q. Pompeius Rufus, joined in opposing these changes, but Sulpicius surrounded himself with a bodyguard of three thousand armed men, and compelled his opponents to take refuge with their army in Campania. As soon as they were out of the way, Sulpicius, by the aid of the Italian voters who thronged the streets of Rome, carried his proposals and sent two officers to deprive Sulla of his command. The legions replied by killing the envoys and marching upon the capital, the first instance of a Roman army engaging in civil war. There was no force in Rome capable of offering resistance, and Sulla was deaf to the representations of the magistrates sent to check his advance. He beset three of the gates with a legion apiece and made his way into the capital with two more. Marius tried to arm the slaves, but his offers met with no response, and he had no alternative but to flee for his life. Himself, Sulpicius, and about ten others of his party were outlawed, and rewards placed upon their heads. Sulpicius was captured in a country house near Laurentum and at once put to death. Marius was more lucky and got safely away.

§ 14. It was now possible for Sulla to make himself monarch of Rome, but he preferred to rehabilitate the Senate and to leave it to maintain peace and order, while he himself restored Roman supremacy in

The Laws of
P. Sulpicius
Rufus, 88 B.C.

Measures of
Sulla, 88 B.C.

the East. He annulled the Sulpician laws, and, according to Appian, passed the following series of measures in the senatorial interest: (1) No magistrate was to propose a bill to the people without first obtaining the assent (*auctoritas*) of the Senate; (2) Votes on laws were to be taken in the *Comitia Centuriata* (perhaps rearranged on the Servian basis), instead of in the *Comitia Tributa*; and (3) The Senate was increased by the addition of three hundred members from the Optimate party. Objection has been taken to the likelihood of these reforms, chiefly on the ground that Sulla had no time for such sweeping legislation at the present juncture. But although Appian also mentions similar changes being made by Sulla on his return from the East, he expressly states that the laws of 88 B.C. were subsequently annulled by Cinna, so that it would seem that some legislation was carried now.* As to the tendency of the measures there can be no doubt: the first broke the power of the tribunes to introduce revolutionary and democratic bills, while the second transferred the ascendancy in the assembly to the rich. Events, however, prevented either from being carried out. As soon as Sulla had sent his army back to Capua the Marians once more began to re-assert themselves. Sulla contrived, it is true,

Sulla leaves
for the East.

to prevent the election to the tribunate of Sertorius, afterwards famous as one of the chiefs of the opposite party, but he did not secure the election of his nominees to the consulship. Cn. Octavius certainly was an aristocrat, but his colleague was L. Cornelius Cinna, a man who had been a legate of Pompeius Strabo in the Social War, but was in other respects unknown, and who soon turned out to be an uncompromising opponent of the oligarchy. Sulla was forced to be content with exacting an oath from Cinna that he would not undo his legislation, and then left for Capua. Cinna was soon in negotiation with the exiled Marius and his friends – his

* Appian, i. 59: ἐσηγοῦντό τε (1) μηδὲν εἶναι ἀπροβουλευμένον εἰς τὸν δῆμον ἐσφίεσθαι, τεταγμένον μὲν αὐτὰ καὶ παλαι, παρασκευασμένον δ' ἐκ πολλοῦ, καὶ (2) τὰς χειρονομίας μὴ κατὰ φύλιν ἀλλὰ κατὰ λόχους (centurias), ὡς Τυλλεῖος βασιλεὺς ἐταξέ γεγεσθαι, πόλλα τε ἀλλὰ τῆς τῶν ἐφημερίων ἀρχῆς περαιτερικῆς μάλιστα γεγενημένης περιελάντες. (3) καταλείπει εἰς τὸ βουλευτήριον, ὁλοκαθροσθέντων δὲ τότε μάλιστα αἱ καὶ παρὰ ταῦτα ἐκκαταφρονήτοι, ἀθρόους ἐκ τῶν ἀριστῶν ἀνδρῶν τριακοσίους. Livy (Livy, 77) merely says: "L. Sulla civitatis statum ordinavit, exinde colonias deduxit."

enemies asserted that he had been bought by them for four hundred talents—and busied himself in compassing their restoration. But Sulla could not stop to retaliate, for a dreadful massacre of Roman citizens in Asia had just been instigated by Mithradates of Pontus. Accordingly he set sail for the East, leaving behind him Appius Claudius to continue the siege of Nola, Q. Metellus Pius, the son of Metellus Numidicus, to act in Samnium, and Cn. Pompeius Strabo to command in Etruria. Q. Pompeius Rufus, whose period of command had been extended with pro-consular authority, tried to take over the troops of Strabo, but they turned on him and tore him to pieces. Strabo was, in appearance at least, extremely indignant at the outrage, but public opinion set him down as the instigator of a deed by which he was the chief gainer.

§ 15. Freed from the presence of Sulla and his army, Cinna and Octavius. Cinna took up the democratic policy where it had been left by Sulpicius. The Italians were angry at the abrogation of the law which had promised to distribute them among all the tribes. Cinna reintroduced this bill, and coupled with it another for the recall of the exiled members of the Marian party. The Italians flocked to Rome in crowds and supported the measures with all their energy. Octavius, the senatorial champion, spoke vehemently on the other side, and created considerable surprise by the eloquence of which he unexpectedly proved himself capable. On the day of the polling, a tribune vetoed the measure, but Cinna persisted in putting it to the vote; whereupon Octavius set himself at the head of an armed body of his partisans, and cleared the Forum of the democrats. Cinna appealed in vain to the slaves to join him; his party was hopelessly beaten and retired from the scene of the fight, leaving, it is averred, no fewer than ten thousand of their number dead behind them. At any rate, their loss was very great, and many years afterwards Cicero spoke of the “day of Cinna and Octavius” as proverbial for a massacre. Although ejected from the capital, Cinna could rely upon the Italians, and he at once appealed to them. Towns like Tibur and Praeneste were enthusiastic in his favour, and when he got as far south as Nola, the

army of Appius Claudius came over to him. He told them how he had been deprived of the consulship by the opposite faction and threw himself on their protection. They took an oath of allegiance to him and bade him lead them whither he pleased. The other two generals were of little more use to the Senate than Appius Claudius: Metellus was kept inactive by the renewed assaults of the Samnites and Lucanians, and Pompeius Strabo, with the forces stationed in Umbria, did not appear to protect Rome until Cinna had completed his visits to his allies and was encamped before the city. Cinna had already been joined by the tribune Cn. Papirius Carbo and Q. Sertorius, a captain of horse who had won distinction in the Social War, and, as related above, had been kept out of the tribunate by the influence of Sulla. Marius, too, was by this time again in Italy and at the head of an army.

§ 16. In his flight from Rome, Marius' first act was to reach Ostia. There he procured a ship; but
The Adventures of Marius, 87 B.C. as a violent storm arose and he suffered from sickness, he abruptly landed at Circeii and wandered about the country with no definite aim. He heard from the peasants, who recognised him, that there were horsemen on the look-out, and proceeded along the coast to Minturnæ in Campania. Here the horsemen became a reality and rode down to the beach, in the hope of capturing their prey. Luckily for Marius, two merchant vessels were riding at anchor, and he eluded his pursuers by swimming to one of them and getting on board. The horsemen called upon the sailors to throw him over to them, but they refused, and carried the fugitive with them to the mouth of the Liris, where, growing tired of their dangerous burden, they set him down on the shore and left him to his fate. The country was swarming with his enemies, and all that he could do was to seek shelter in a lonely hut among the marshes. Its occupant, a poor old man, promised to save Marius, and, after concealing him in a hole near the river, covered him over with reeds and grass. It was all in vain, however, for his pursuers were upon him, and although he divested himself of his clothes and took to the river, he was dragged ashore and carried a prisoner to Minturnæ.

The magistrates were much perplexed as to their course of action, but they finally resolved to put the fugitive to death, and ordered a Gallic slave, taken probably in one of Marius' campaigns, to slay the aged hero. But Marius' aspect filled him with terror; and when he heard him exclaim, "Slave, dost thou dare to kill Gaius Marius?" the would-be executioner fled from the room exclaiming, "I cannot kill Gaius Marius." The magistrates now changed their mind and sent off Marius on board a little vessel. On his way to Africa the fugitive touched at Eryx in Sicily, and was almost captured by the Roman quaestor; but at last he reached the island Meninx in the Lesser Syrtis, and there learnt that his son had also escaped from Rome, and had gone to seek aid from the king of Numidia. Marius himself tried to land in the province of Africa, but the governor warned him that he would be treated as an enemy if he did so, and he could only bid the officer who brought the message to tell his superior that he had seen Gaius Marius sitting among the ruins of Carthage. Soon afterwards father and son met, and hearing that events in Italy had undergone a favourable change, sailed back thither.

§ 17. Marius landed at Telamon in Etruria, and was soon at the head of an army of exiles, slaves, and herdsmen. He offered to join Cinna, and the latter, in spite of the opposition of Sertorius, who perhaps dreaded the effects of Marius' embittered temper, gladly accepted his aid. Marius got possession of Ostia and seized the corn ships as they were sailing into the city. He then occupied the Janiculum and nearly captured Rome; but after severe fighting he was driven out with a loss of seven thousand of his men. Meanwhile, the Senate, distrustful of the loyalty of Pompeius Strabo, who was directing the defence of Rome in conjunction with Octavius, endeavoured to win over the Italians and directed Metellus Pius to make terms with the Samnites; but the latter were promised the franchise by the other party and therefore rejected the overtures. Metellus then left Samnium to its fate and hurried to Rome with the bulk of his forces; whereupon the Samnites and Lucanians relieved Nola and joined Cinna in force. Cn. Pompeius Strabo died soon afterwards:

it was given out that he was struck by lightning, but more probably he was murdered by his mutinous soldiers, who treated his body with the grossest indignities. Octavius and Metellus soon found that it was impossible to hold the city. After cutting off the corn supplies of Rome, Marius surprised various places near the sea, and advanced along the Via Appia until he was only twelve miles distant from the capital. Together with him were Cinna, and their subordinates, Carbo and Sertorius. Octavius marched out to oppose him, but did not venture to give battle, and while he remained inactive, those inside the walls deserted in large numbers. There was famine and pestilence in Rome, and the Senate tried to obtain terms from Cinna. The latter merely asked the envoys whether they came to him as a magistrate or as a private person, and they, remembering his deposition, were unable to give him an answer. Ultimately the city surrendered on the mere word of Cinna that, so far as he could prevent it, there should be no bloodshed. Marius made no sign, but the grimness of his looks showed that he was determined to take vengeance on his enemies.

§ 18. Cinna and Marius entered Rome, closed the gates, and for five days their troops were engaged in massacring every optimate who had not escaped from the city. There were many Samnites and Lucanians in their ranks, many deserters and slaves, and all were eager for plunder and bloodshed. Neither senators nor equites were spared. Cn. Octavius and Merula both perished, although the latter had voluntarily resigned the consulship, which had been against his will transferred to him from Cinna. There died, too, Julius Caesar Strabo and L. Julius Caesar, the author of the *Lex Julia*; M. Antonius, the great orator; and Q. Lutatius Catulus, the victor of Vercellae. Antonius pleaded for his life with such moving words that the soldiers who were sent to kill him could not achieve their purpose; but their officer abused them for their weakness, and cut off Antonius' head while his lips were still asking his enemies to spare him. Marius vented his rage like a barbarian, refusing even burial to his victims. But his career was now at an end. Rumour said that he was

Death of
Marius,
86 B.C.

haunted by the fear of Sulla's return, and that this dread shortened his life. On January 1, 86 B.C., he entered upon his seventh consulship, but a few days later died. In his last moments he became delirious, and imagined that he was engaged in fighting Mithradates. Thus ended the man who had saved Rome from the Germans. He was a great success as a soldier, an utter failure as a politician; but history would have had only commendation for him if he had kept clear of the foolish ambition of his later years. As it is, the best excuse for his conduct is that "his darkest deeds were committed in moments when he was half mad from the sufferings and indignities he had endured," and when perhaps he hardly knew what he was doing." In many respects, notably in his simplicity and incorruptibility, he recalled those heroes of early times, of whom Cincinnatus and Fabricius are typical examples.

§ 19. In the place of Marius, L. Valerius Flaccus was elected consul. The civil war and the struggle against Mithradates had caused great disturbances in the money market, and debt was so

universal that some remedy had to be found. Flaccus carried a law which enabled debtors to compound with their creditors at the rate of five shillings in the pound, or, as Sallust expresses it, to pay bronze for silver.* In the same year, in order to fulfil the promises made to the Italians by Cinna, censors were appointed to register the new citizens. But they did not complete the task, for the rolls showed 463,000 citizens, a number only exceeding by about 70,000 that of the census of 115 B.C. Thus the Italians were pacified, and everything seemed to point to the long continuance of the new government. The one thing which Cinna had to fear was the return of Sulla; but for some time the arms of the latter made so little progress in the East that his power did not appear formidable. In 86 B.C. Cinna procured a law transferring the command of Sulla's army to L. Valerius Flaccus, who was then despatched to the East with his legate Fimbria to depose that general. The expedition, as will hereafter be related, proved a miserable

* *Coltina*, 33: "Propter magnitudinem aeris alieni, volentibus omnibus bonis, argentum aere solutum est."

failure, and Sulla defeated the men sent out to crush him, and routed Mithradates as well. In 84 B.C. the Senate received a letter from Sulla: he had concluded peace, he said, with the King of Pontus; he intended to take vengeance on those who had murdered and exiled his friends, but he was content that the newly enrolled citizens should remain unmolested in their privileges. The Senate was not disposed to proceed to extremities for the sake of Cinna, and the moderate party, headed by L. Valerius Flaccus, cousin of the general who had been despatched against Sulla, resolved to enter into negotiations. But Sulla soon showed that he would not forego the advantage which his victories ensured him, and it became evident that there would be a struggle for the possession of Italy. Cinna and his fellow-consul, Cn. Papirius Carbo, had hitherto taken no measures of precaution against invasion, possibly because their party was too exhausted to do so. They now saw that their lives were in danger, and they began to prepare for an attack upon Sulla in Greece. Cinna collected an army near Ancona; but when his troops learned that they were being sent across the Adriatic, they declared that they would not

Death of
Cinna.

fight against fellow-citizens, and stoned their general to death. Carbo, to whom it thus fell to meet the long-threatened attack, proceeded vigorously with his preparations, and in a short time had two hundred cohorts of foot ready to take the field. His chief supporters were the newly enrolled Italians, but even here he met with some opposition, as is shown by his proposal to take hostages from their principal towns. However, the Senate objected, and defeated the project. The elections for 83 B.C. were favourable to the Marian party: the consuls were L. Cornelius Scipio and C. Norbanus. Scipio, a great-grandson of Scipio Asiaticus, was of a peaceful disposition, and inclined to bring about a reconciliation between the two hostile parties, but Norbanus had been a violent democrat for the past twenty years, and was eager to crush Sulla.

CHAPTER VII.

SULLA IN THE EAST.

§ 1. History of Pontus.—§ 2. Geography of Pontus.—§ 3. Character of Mithradates : Kingdom of the Bosphorus.—§ 4. Plans of Mithradates.—§ 5. The First Mithradatic War.—§ 6. Mithradates overruns the Province of Asia.—§ 7. Attack on Rhodes.—§ 8. Expedition to Greece.—§ 9. Siege of Athens.—§ 10. Battle of Chaeroneia.—§ 11. Appearance of Flaccus in Greece : Battle of Orchomenus.—§ 12. Peace Negotiations.—§ 13. Death of Flaccus.—§ 14. L. Licinius Lucullus.—§ 15. Tyranny of Mithradates.—§ 16. Sulla concludes Peace.—§ 17. Settlement of Asia.—§ 18. Second Mithradatic War.

§ 1. THE seaboard of the kingdom of Pontus stretches from the extreme south-eastern corner of the Pontus History of Pontus. (*i.e.* the *Black Sea*) as far as the Halys (*Kyzyl-irmák*), which separates it from Paphlagonia. To the east and south it had no naturally determined boundary amongst the labyrinth of mountains and valleys of the Armenian tableland or the more inviting lowlands of Cappadocia. Before the days of Alexander Pontus was treated as a portion of Cappadocia, and the two were distinguished as Great Cappadocia (or Cappadocia by the Taurus), and Cappadocia on the Pontus. After Alexander's death the latter was seized by one Mithradates, who here made for himself a kingdom which he passed on to his sons. Pharnaces I. (190-154 B.C.) succeeded in capturing the Greek town of Sinope, the most important port upon the Southern Euxine. His son Mithradates V. (or Euergetes) took the side of the Romans in their dealings with Asia, and was rewarded for his services by the concession of the indefinite district of Phrygia. He had even sent a fleet to assist in the overthrow of Carthago (149-146 B.C.); and

when, upon the death of Attalus, third king of that name and last ruler of Pergamus (*Bergama*), the kingdom which he had bequeathed to Rome was constituted the province of Asia (133 B.C.), Mithradates won the title of Friend of the Roman People for the aid which he lent in chastising the pretender Aristonicus and securing the province to Rome. He died about twelve years later, by which time Rome felt herself sufficiently established in Asia to dispense with the aid of this powerful neighbour: Mithradates had done his part in protecting the frontiers of the province, and had been rewarded for it; but being no longer required as a counterpoise to other powers, the kingdom of Pontus was now to be reduced to more convenient dimensions. Accordingly, on the pretext that M'. Aquillius, the author of the settlement, had been bribed by Mithradates, Phrygia was (120 B.C.) declared free, and shortly afterwards annexed to the Roman province; while at the same time the inhabitants of Great Cappadocia and of Bithynia, both bordering upon Pontus and both up to this time more or less in the position of subjects of the Pontic kings, were prompted to assert their independence. The new sovereign, Mithradates VI., surnamed Eupator, was but twelve years of age, and he succeeded to a kingdom stripped of all its recent acquisitions, and retaining only that part of Paphlagonia which lay between the Halys and Sinope.

§ 2. A line drawn south from Sinope to the Halys and
 Geography of Pontus. along the course of that river to the confines of the Galatian canton of the Trocmi; hence in a south-easterly direction for eighty miles, and again in a somewhat more easterly line for two hundred miles to the point where the two upper streams of the Euphrates unite as they debouch from between the mountains of Armenia and the range of Anti-Taurus; thence in a northerly direction, partly along the valley of the northern stream, to the Paryadres range, and along this eastward again until it sweeps inward to the shore of the Euxine, on the borders of Colchis; will include the normal possessions of the Pontic kings. In the east and south-east it is a chaotic mass of mountains, but towards the west and south-west the hills open out into warm and fertile valleys, which rival any in

Asia for luxuriant productiveness. Especially near the sea-coast, in the lower valleys of the Halys, the Iris, and its tributary the Lycus, and the Thermodon, the soil produces abundant crops of grain and fruits of every kind. The mountains, if unsuitable for agriculture, yielded quantities of iron and other metals, timber for ship-building, and inexhaustible supplies of soldiery. The coast was fringed with old-standing Greek colonies, the proof and surety of commercial possibilities. Most of them were colonies from Miletus, such as Amisus, Oenoë, Side, Pharnacea, Trapezus (*Trebizond*), and especially Sinope, to which was transferred the royal residence from its original seat at Amasia (*Amasia*) on the Lycus. There were few towns in the interior, and of the few that are mentioned the sites are as a rule uncertain.

§ 3. Mithradates VI. found his position as king endangered by the usual intrigues of an Oriental court, for Pontus was more Oriental than Greek in its tendencies, but neither one nor other wholly. For several years he lived in constant and perhaps justifiable dread of assassination; he spent his time in hunting, traversing the land from end to end, and gaining thereby a physical vigour and a knowledge of his people which were afterwards to stand him in good stead. On foot or on horseback, in war or in the chase, he had no rival in point of endurance, courage, or skill. He combined the bearing of an Alexander with the toughness of a Massinissa; the schemes of a Hannibal with the manners of an Antiochus; an Oriental's cruelty, capacity for intrigue, and power of recuperation, with the Spaniard's inability to own himself beaten, and the Celt's contempt of details.* He had always a policy, but he lacked the tenacity of purpose and width of view needful to carry it out; his schemes were those of a great man, his acts often those of a weak one. He was the only Asiatic who ever endangered Roman supremacy, yet he was formidable, not because he was Mithradates, but because he lived in days when Rome was decadent.

It was about 114 B.C. that he could at last feel himself

* Velleius' estimate of Mithradates is as true as it is brilliant: "Mithridates, bello acerrimus, virtute eximius, aliquando fortuna, semper animo maximus, consilii dux, miles manu, odio in Romanos Hannibal."

secure upon his throne, a security assured by the wholesale murder of all whom he chose to suspect; and these were, as is usually the case with a sultan, especially the members of his own family. The precise sequence of his proceedings it is impossible to recover, but already, when in 99 B.C. Marius paid a visit to Asia, he found Mithradates with his ally Tigranes I. of Armenia in possession of Cappadocia and Paphlagonia up to the borders of Bithynia and the Roman province. He had an army of eighty thousand infantry, ten thousand horse, and six hundred
The Kingdom
of the
Bosporus.
scythed chariots; and he had conceived an immense scheme for reducing to his sway the whole coast-line of the Euxine. He reduced Dioscurias and the warlike tribes of Iberi and Albani as far as the Caucasus; crossed those Alps of Asia, and swept round the northern shores of the Black Sea to the Thracian Chersonese (*Crimea*), the Borysthenes (*Dnieper*), and the Tyras (*Dniester*). At wide intervals along these shores were dotted Greek towns which had come into existence when Miletus commanded the commerce of the Euxine, and when the granaries of the Bosporus had supplied the marts of Athens. Commerce had made them rich, and they lay too far from the usual scenes of history to have suffered from the pillaging of Asiatic conquerors or Roman governors, but at this date they were harassed by the ceaseless attacks and imposts of the surrounding Scythian tribes, Alani between the Caucasus and the Tanais (*Don*), Roxolani between the Tanais and the Borysthenes, and, most savage and aggressive of all, the Bastarnæ, who roamed from the Tyras to the Ister (*Danube*). Mithradates came as the champion of these Greek communities against barbarism. His generals Diophantus and Neoptolemus routed eighty thousand Roxolani and rescued the kingdom of Paerisadas of Panticapæum (*Kertch*) and the neighbouring town of Phanagoria, and pushed their advance as far as the Ister, only making no conquests in these wild regions because there was nothing to conquer. But throughout all this wide region the name of Mithradates was known and respected. The Greek cities of the Crimea paid to him an annual tribute of two hundred talents of gold and two hundred

and seventy thousand bushels of grain; and when Paerisadas died he left his kingdom to his Pontic suzerain, who placed upon its throne his own son Machares. As far as the northern frontiers of the Roman province of Macedonia Mithradates had pushed his influence: the Black Sea was his lake, and the one weak point in his position was the fact that the Hellespont was controlled by the Romans by means of their provinces of Macedonia and Asia, and by help of their client the Prince of Bithynia. He set himself to remedy this weakness. The Romans, in the intervals of calm between the quarrels of parties within Rome, must have seen clearly what was his aim, but they suffered him to lay his plans and make his preparations without hindrance. It was only when he threatened the province of Asia by his encroachments that they began to move.

§ 4. Mithradates had three lines of action, which he de-
Plans of
Mithradates.
veloped simultaneously. In Europe he induced the Bastarnae and other savage tribes along the frontier of Macedonia to attack that province, and was probably answerable for the appearance of a pretender, named Euphenes, who in 92 B.C. laid claim to the throne of Macedonia, and kept the Roman forces there fully employed; in the Black Sea he equipped a war-fleet of four hundred sail, and constructed arsenals and depots of stores along the shores of Pontus; in Asia he came to an understanding with Tigranes I. of Armenia, that they should divide Western Asia between them, Mithradates taking the Roman possessions, and Tigranes occupying the remainder, the fragments of the now ruined kingdom of the Seleucidae of Syria. The allies were in possession of all Cappadocia and Paphlagonia when L. Sulla, then praetor in Cilicia, interfered (92 B.C.), and summoned to a conference on the Euphrates Tigranes, and a representative of the King of Parthia. One Ariobarzanes was set upon the throne of Cappadocia as an independent client-prince; but the settlement was only an apparent success, for in the following year Mithradates not only drove out Ariobarzanes, but put upon the throne of Bithynia one Socrates Chrestus, a younger brother of the rightful heir Nicomedes III., whose father had just died. The two deposed kings appealed to Rome,

and M'. Aquillius, son of the earlier Roman of the name, and governor of Asia, received instructions to restore them. In the interim Tigranes I. died, and the attention of his successor, Tigranes II., was for a time occupied in securing his own position. In consequence, when Aquillius appeared in 90 B.C., Mithradates offered no resistance to the restoration of Ariobarzanes and Nicomedes III. The former died at the moment of his return, and thereupon Mithradates placed his own son Ariarathes on the throne. Meantime Aquillius, eager to win wealth and laurels by an active campaign, induced Nicomedes to attack Pontus. Mithradates made no resistance, partly because unsupported by Tigranes, partly, perhaps, to have a better ground for war with Rome, or because he did not feel sufficiently prepared. Aquillius got the plunder which he desired, but the moment that his back was turned, Mithradates again set up his own son Ariarathes as king of Cappadocia.

§ 5. The Senate now resorted to its favourite plan of sending embassies, to all of which Mithradates
The First Mithradatic War. replied that Cappadocia had belonged to his fathers, and was therefore legally a fief of

Pontus. Aquillius and the commissioners now peremptorily ordered the Pontic king to restore Ariobarzanes, and when he made no sign of doing so, attacked him without waiting for the instructions of the Senate. They got forces from Bithynia, Cappadocia, Paphlagonia, and Galatia, and assailed Pontus from three different points—Aquillius from Bithynia, L. Cassius from Galatia, and Q. Oppius from the highlands of Cappadocia. Between them they had a hundred and twenty thousand men and some cavalry, while a Roman fleet guarded the entrance to the Euxine. Mithradates had two hundred and fifty thousand foot, forty thousand horse, and four hundred vessels of various sorts. He was well prepared for war, but had allowed the most favourable moment for action to slip by. For it was now 88 B.C., and the Social War in Italy was practically at an end. It is true that he had employed the time in seeking allies from all quarters: he had supporters among the pirates, Thracians, and Greeks; at the courts of Egypt, Syria, and Numidia; and amongst the inhabitants

of Roman Asia, whom long years of brutal oppression had made ready for any deed of desperate vengeance. To Tigranes II. of Armenia, his closest neighbour and most natural ally, he gave in marriage his daughter Cleopatra; and during the course of the year 89 B.C., and subsequently, there flocked to him numbers of the vanquished Italians, and even Romans of the defeated Marian party. But by prompt action he would have done better, and if he had sent aid to the revolted Italians and seized upon Asia while the Romans were hampered by difficulties at home, he would have been an antagonist even more formidable than he actually proved.

§ 6. The three Roman generals and their Bithynian ally Mithradates overruns the Province of Asia. fared badly in the struggle. Neoptolemus and Archelaus, two brothers who, under the king, had the chief command of the Pontic army, defeated Nicomedes of Bithynia on the Amnias, a tributary of the Halys, and drove him back to Paphlagonia with great slaughter. Mithradates followed the retreating enemy, and took the camp of M'. Aquillius, who fled across the Sangarius, and thence made his way to the Roman province and Pergamus. Cassius tried to re-organise his forces in Phrygia; but his ill-disciplined rabble was not amenable to orders, and he too retired, first to Apameia Cibotus, near the source of the Maeander, and thence to Rhodes. Oppius was equally unlucky in Cappadocia; he was defeated with his ally Ariobarzanes, and fled to Laodicea, where he was given up by the townspeople, in the assurance that by so doing they would win their pardon from Mithradates. The Romans were thus completely routed, and without encountering further resistance, Mithradates swept with his hordes over the province of Asia. Important towns like Magnesia, Ephesus, and Mitylene welcomed him with enthusiasm, and only a few isolated places, such as Stratonicea in Caria and Magnesia near Mt. Sipylus, refused to open their gates to him. The provincials styled him Dionysius the Deliverer, and, either prompted by his emissaries or more probably in a spontaneous outbreak of national rage, the result of forty years' oppression and misgovernment, turned on their tyrants and massacred all the Romans and

Italians on whom they could lay their hands. Neither men, women, nor children were spared; slaves who murdered their masters were presented with their freedom, and debtors who slew their creditors had a moiety of their debts cancelled. At Ephesus, Pergamus, and Tralles the wretched fugitives were cut down at the altars, and at Adramyttium some who tried to escape by swimming out to sea were followed and slain. In all, no fewer than eighty thousand Romans are reported to have fallen victims. M^r. Aquillius is said to have been captured at Mitylene, where he was lying sick, and after being dragged from one place to another in chains was killed by having molten gold poured down his throat, in token of the insatiate avarice which had been the cause of all the trouble.*

§ 7. This piece of cruelty was perpetrated at Pergamus, which Mithradates had made his headquarters. Attack on Rhodes. There he set in order his conquests: Cappadocia, Phrygia, and Bithynia he converted into satrapies; his fleet sailed into the Aegean and dominated its waters, and to please the Asiatics all taxes were remitted for a period of five years. Many of the Romans who escaped from the massacre fled to Rhodes, which had no intention of putting its wealth at the disposal of Mithradates. This town, situated at the northern end of the island of the same name, had long been famous for its skill in building ships, its fine harbour, and its general commercial activity, which had led the Rhodians in the distant past to plant their colonies as far afield as Rhode (*Rosus*) in Spain and Gela in Sicily, and still made them the richest merchants of the East. Mithradates attacked the city with his fleet, but could not force the harbour, and when an attempt at surprise failed, he withdrew, and directed his energies to another quarter.

§ 8. This was Greece, which had been without experience Expedition to Greece. of an Asiatic invader since the abortive attempt of Antiochus in 190 B.C. In 87 B.C. Mithradates despatched his general Archelaus thither, in the hope of expelling the Romans from that country as well. Archelaus sailed across the Aegean with the powerful Pontic fleet,

* The story is contradicted by Licinianus, who represents him as being alive in 55 B.C., and says that his restoration was a condition of the peace of Aulis.

capturing on the way Delos, which he made tributary to Athens in order to secure the alliance of that town. To Athens, too, he sent the sacred treasures of the island. The emissary whom he selected to convey them was Aristion, an Athenian teacher of philosophy and rhetoric, who had previously been sent as an envoy to Mithradates, and now returned declaring that all Asia was in the hands of the Pontic king. If the present opportunity was seized, it would be possible to eject the Romans from Athens and restore to it the democracy under which it had once flourished. The whole city turned out to do honour to the envoy, and escorted him to the orator's platform, where, after advising revolt from Rome, he was elected commander-in-chief of the Athenians. He speedily showed that he was going to exercise in earnest the power entrusted to him, and declared himself tyrant. At the same time he put the city in a condition to defend itself, and prepared to co-operate with Archelaus. Archelaus found much disaffection towards the Roman rule existing in Greece, and was joined by the Lacedaemonians, Achaeans, and Boeotians. His colleague Metrophanes seized Euboea and Demetrias, one of the "fettters" of Greece; but after doing so he was attacked and defeated by Brutius Sura. Sura, who was the legate of C. Sentius, the governor of Macedonia, and had been sent by his superior to check the invaders, advanced into Boeotia, where he gained some successes over Aristion and Archelaus. But here he learnt that Sulla was approaching with his legions, and being unwilling to enter into rivalry with so powerful a man, he returned to Macedonia and left the field clear to the new-comer.

§ 9. Sulla quitted Italy in 87 B.C. and landed in Illyricum with his four legions. Thence he
Siege of Athens.
marched across central Greece into Boeotia, which hurriedly renounced its alliance with Mithradates, and, passing into Attica, began to invest the capital. Aristion held out in the upper city, while Archelaus prepared to defend the Peiraeus, which was still protected by the "Long Walls" restored in 393 B.C. by Conon. After an unsuccessful attempt to storm these fortifications, Sulla set about the siege in due form, and cut down the groves of the

Academia and the Lyceum to supply wood for his engines. To obtain money for his troops, whose goodwill he was determined to win at any price, he pillaged the temples of Epidaurus and Olympia of many of their costly offerings; and from Delphi he took a silver jar, the only one remaining out of four which had been placed there by Croesus many centuries previously. He was badly in need of ships, as well as treasure, but the Rhodians could not send him any as long as Mithradates commanded the sea, and all he could do was to despatch L. Licinius Lucullus, one of his most trusted officers, to collect some from Syria and Egypt. All through the winter the siege went on. Sulla employed the usual artillery of the time, and assaulted the walls with towers full of soldiers; but Archelaus on his part prepared equally large towers for the defence, and whenever a portion of the wall was battered down, diligently repaired it. Meanwhile famine was making itself felt in the upper city: the Athenians ate every animal on which they could lay hands, and were now reduced to living upon skins, shoes, and leather bottles. Still they held out until March 1, 86 B.C., when Sulla's men made their way in at the Ceramicus, a western suburb of the city, where the fortifications were weak. Aristion fled to the Acropolis, but the rest of the city was taken and pillaged, for although Sulla would not permit the city to be burnt or its masterpieces of art to be carried away, his soldiers were free to plunder as much as they desired. Soon afterwards the pressure of famine drove Aristion to surrender, and he was at once put to death, together with all his followers. Sulla was now able to turn his undivided attention to the Peiraeus, and Archelaus was at last pressed so hard that he gave up the whole circuit of fortifications with the exception of Munychia. In this position, surrounded on all sides by water, except where it was joined to the mainland by a narrow neck of land, Archelaus was virtually impregnable, for he was master of the seas, and Sulla had not a single ship.

§ 10. At this juncture news reached Sulla that Taxiles, Battle of Chaeroneia. a general of Mithradates, was marching upon Athens by way of Thrace and Macedonia at the head of a hundred thousand men. Abandoning the

siege of the Peiræus, he advanced into Boeotia and encamped in the fertile plain of Elateia. He had only a small force under his orders—barely fifteen thousand infantry and fifteen hundred cavalry—while the forces of Taxiles, soon swollen by those of Archelaus, who took the command, were six or seven times as numerous. Moreover, his soldiers were cowardly and discontented, and Sulla is said to have induced them to fight by giving them their choice between a battle with the enemy and hard toil at digging trenches. The men soon tired of their task, and urged Sulla to lead them against Taxiles and Archelaus. At the time he was on the left or northern bank of the Cephissus; he crossed the river and marched to Chaeroneia, where he found the enemy occupying a rounded hill, called Thurium, about half-way between Chaeroneia and Lebadeia. He drove the Pontic troops from this eminence, and waited for Archelaus to give battle. He himself took the command of the right wing, while he entrusted Murena with the left. Archelaus began the attack by hurling his sixty war-chariots against the Romans; but this manoeuvre was easily defeated, for the chariots were unable to act effectively in the confined space, and their drivers were killed. Sulla replied by an attack upon the first line of the Pontic infantry, some fifteen thousand in number: the legionaries beat aside the long spears of the enemy with their swords, and turned them to flight. Meanwhile, Archelaus had extended his right, in the hope of outflanking the Roman left. The detachment of Hortensius was in danger of being surrounded, and retired to some elevated ground. Sulla saw how critical its position was and hurried from the right wing to its rescue, but Archelaus had expected this diversion, and giving up the attack upon Hortensius, bore down with the flower of his army upon the now weakened right wing of the Romans. At the same time Taxiles tried to drive the left before him. Fortunately Sulla was not taken by surprise: he too marched back, and the battle became general all along the line. First the right wing of the Romans got the advantage; then the left did the same, and the Pontic army fled in confusion. It tried to make its way to its camp, but Archelaus closed

the gates, and a dreadful carnage ensued. When at length the gates were opened the Romans were close upon the enemy, and entered the camp with them. Nearly the whole of the Pontic army perished, and barely ten thousand escaped to Chalcis in Euboea. Sulla in his report declared that the Roman loss amounted to fifteen men missing, of whom two subsequently rejoined their comrades. He followed the fugitives as far as the Euripus, the narrow channel which separates Euboea from the mainland, but the fatal want of ships prevented him from proceeding farther, and he returned to Thebes. He punished that city for its faithlessness by depriving it of half its territory, which he dedicated to the gods of Delphi and Olympia, as compensation for the treasures of which he had deprived them.

§ 11. Thus Sulla had for the time cleared Greece of

Appearance
of Flaccus
in Greece.

Pontic troops, but now he was threatened by a new enemy. This was L. Valerius Flaccus, the nominee of the Marian party, who had been sent to take the command from him. Flaccus suffered some losses from the cruisers of Archelaus even while crossing to Epirus, but he proceeded to Thessaly and confronted Sulla on the northern slopes of Mount Othrys. He summoned the soldiers to obey the decree of the Senate, and desert their general; but they had no intention of leaving a leader who had proved himself so capable as Sulla, and Flaccus, instead of increasing his forces, had the mortification of seeing his own troops go over to his rival. He knew that he had no chance of fighting a battle with success, and, lest his position should become worse than it actually was, he moved away to the north, and passed into Asia by way of Thrace. Sulla allowed him to depart, and spent the winter of 86-85 B.C. in Athens.

In the course of the year 85 B.C. Mithradates collected a
Battle of
Orchomenus.

force of eighty thousand men, and sent it, under the command of Dorylaus, by sea to Euboea. He hoped that, when joined to the ten thousand troops under Archelaus, it would be strong enough to restore his fortunes in Europe. At first Dorylaus was eager for an engagement, but a reverse near Tilphossium, not far from Haliartus, in

Boeotia, led him to adopt the more prudent attitude of Archelaus. The two generals at length encamped at Orchomenus, a few miles to the west of Chaeroneia and the centre of a treeless plain, which was peculiarly suitable for cavalry manoeuvres. Sulla resolved to cut off the enemy from the hard ground and drive them into the marshes. With this object he set his men to make trenches; but the Pontic troops sallied out, and drove the Romans from their work. The danger was so pressing that Sulla seized a standard, and compelled his men to renewed exertions by risking his own life. By this means the assault was for the time repelled; a second was equally unsuccessful, and next day Sulla, taking the offensive, stormed the enemy's camp. The slaughter was as great as it had been at Chaeroneia; many of the barbarians were killed on the spot or driven into the lake Copais hard by and drowned. More than twenty-five thousand were captured and sold into slavery. Archelaus himself escaped over Lake Copais in a boat, and took refuge in Chalcis, whither he collected the remains of the expedition.

§ 12. After this decisive victory Sulla marched into Peace Negotiations. Thessaly, where he busied himself in collecting a fleet. The way to Asia was clear, but he hesitated long as to the course he should pursue. News from Rome inclined him to return at once and crush the faction that had butchered his friends. On the other hand, the Asiatic massacre remained unavenged, and Mithradates occupied the Roman province. Equally unwilling to attack Mithradates or to leave him in possession of his conquests, Sulla listened readily to Archelaus' proposals for a conference, and met him at Aulis. He demanded that Mithradates should give up Asia and Paphlagonia, restore Bithynia to Nicomedes and Cappadocia to Ariobarzanes, surrender all prisoners of war and deserters, pay an indemnity of two thousand talents, and give up seventy ships of war. Much of this Mithradates showed himself, through his envoys, willing to concede; but he demurred to the surrender of Paphlagonia or his navy. Archelaus, for whom Sulla ultimately conceived a warm feeling of friendship, did his utmost to smooth difficulties; but the result was that Sulla

determined to push forward into Asia, crush the forces that the Marian party had sent against him to the East, and then frame a peace with Mithradates in person. Advancing northwards, he restored Macedonia to quiet, and punished the predatory Thracian tribes which had harassed the province during the late hostilities. By so doing he kept his men active, and at the same time gratified them by the booty which they gained.

§ 13. The consul Flaccus, escaping from Sulla, crossed the Hellespont, and reached Chalcedon in Asia. Death of Flaccus. He was a man of no military skill, and his covetousness irritated his soldiers. He offended C. Flavius Fimbria, one of his subordinate officers, by taking the part of his quaestor in some dispute; and, when Fimbria resigned his post, promptly replaced him. Fimbria, an energetic and unscrupulous man,* waited until Flaccus reached Chalcedon, and then usurped the command of the force with which the consul had garrisoned Byzantium. Flaccus hurried back across the Bosphorus in great anger, but the troops would take their orders from no one but Fimbria, and Flaccus was glad to get back in safety to Chalcedon. Thence he fled to Nicomedia. He was closely pursued by Fimbria, who dragged him out from a well in which he took refuge, and slew him. The murderer took over the command of the troops, and pressed Mithradates with great vigour. He won several battles, notably one on the river Rhyndacus, which he followed up by pursuing the Pontic king as far as Pergamus. Nor did the latter venture to stay here: he shut himself up in Pitane, where he might have been captured had L. Licinius Lucullus cared to help Fimbria with his ships. But Lucullus refused to make common cause with the traitor, and Mithradates escaped to Lesbos, and thence back to the mainland.

§ 14. It was as far back as 87 B.C. that Sulla despatched his favourite officer, L. Licinius Lucullus, in search of a fleet, and he had only just accomplished the task. Leaving Greece with six small vessels, he

* Characterised by Velleius Paterculus: "Quae pessimo ausus est, fortiter exsecutus."

first called at Crete, which he attached to the Sullan cause. Thence he sailed to Cyrene and Egypt, where King Ptolemy received him with friendliness, but refused to accede to his demands in the fear that he might draw upon himself the hostility of the Senate. However, he gave him ships to convey him as far as Cyprus, and Lucullus collected a number of vessels from the towns on the southern coast of Asia Minor, and still more when he came to Rhodes. He now began to fight actively against Mithradates and to win over as many as possible of the cities of Asia to Sulla. He induced the people of Cos and Cnidus to join him in an attack on Samos, and drove the party of Mithradates out of Chios. It was now that he refused the overtures of Fimbria, but although he allowed Mithradates for the time to escape, he won two more hard fights off the Troad, and then, meeting Sulla in the Chersonese, conveyed his troops across the Bosphorus.

§ 15. Long before the arrival of Fimbria in Asia, the cause of Mithradates had been steadily declining. He had murdered, confiscated, and insulted on all hands, robbing the rich to find gifts for his favourites, and extorting money for the war by every possible means. In the seafight against the Rhodians, a Chian ship had chanced to collide with Mithradates' royal vessel. The occurrence was a pure accident, but Mithradates accused the Chians of treachery, and imposed a fine of two thousand talents. When they protested their inability to pay this enormous sum, Zenobius, the minister of the Pontic king, summoned them to the theatre, seized them, and deported them bodily to a distant part of Asia. This deed, a reminiscence of Persian despotism, alarmed the Ephesians, so that when Zenobius appeared in their city, he was dragged off to prison and put to death. They then revolted, and though the king even gave the citizenship to aliens and their freedom to slaves, in order to form a party in the city favourable to himself, he was unable to reduce it. This rebellion, together with the discovery of some conspiracies against his life, terrified Mithradates so much that he proscribed right and left, and a regular reign of terror began, in which no fewer than sixteen hundred persons are said to have

Tyranny
of Mithra-
dates.

perished. These atrocities and the neglect of Mithradates' promise to remit their taxes caused the Asiatics to regret Roman rule. The Roman governor and his satellites had chastised them with whips, but Mithradates was chastising them with scorpions, and they hoped in a half-hearted way that Sulla would be victorious, though they dreaded the punishment which he would mete out to them for their revolt.

§ 16. To Mithradates also the presence of Sulla was not without compensation, for he was thoroughly afraid of Fimbria. He saw that it was impossible to make a lasting peace with the latter, for even if he offered terms, the Senate would not be bound by the agreement. Sulla, on the other hand, was sufficiently powerful to compel the Senate to acquiesce in any arrangement that he made. Mithradates and Sulla met at Dardanus, a city of the Troad, and after a little demur, the Pontic king accepted the conditions proposed the year before. He agreed to the restoration of Ariobarzanes and Nicomedes, surrendered seventy ships, and retired to Pontus. Some of Sulla's officers were discontented with such easy terms, and wanted to crush Mithradates, but Sulla was anxious to return to Rome. As soon as peace was made, he turned to settle accounts with Fimbria, who was encamped at Thyatira, in Lydia. It was easily done, for Sulla's forces were by far the more numerous, and Fimbria's men began to desert at once. Fimbria tried to force them to take the oath of allegiance, but they absolutely refused, and when an attempt on Sulla's life proved a failure, the self-made general was at the end of his resources. Unwilling to fall into Sulla's hands, he fled to Pergamus, and there killed himself in the temple of Aesculapius. His two legions took service with his conqueror, and were placed under the command of L. Licinius Murena, an officer who had done good service at the siege of Athens and elsewhere.

§ 17. The organisation of the recovered province was rapid but thorough. Nicomedes III. and Ariobarzanes were reseatd upon the thrones of Bithynia and Cappadocia, and Mithradates bound himself

to live peaceably with them. The few states and towns which had throughout been loyal to Rome—Ilium, Chios, the Lycians, Rhodes, and Magnesia—were rewarded by the grants of new lands or fresh privileges. On those who had rebelled Sulla took the sternest vengeance. The ringleaders of the revolt in Ephesus were beheaded, and the same fate befell others who had taken part in the massacre of the Italians four years previously. The cities which had welcomed Mithradates were called upon for the tribute which they had neglected to pay during the past five years, and in addition they were mulcted in a war indemnity and in all the expenses which Sulla incurred in settling the country. Twenty thousand talents was the sum levied from them, and Lucullus was appointed to collect it. Fortunately, Lucullus was remarkable for his humanity, and made the burden as light as possible. But even then, the cities of Asia were well-nigh reduced to beggary, and were forced to mortgage their theatres, their harbours and gymnasia to the Roman money-lenders who followed in Sulla's train. The money was raised, but the exactions of Sulla, coming, as they did, immediately after the rapacity of Mithradates, left an indelible mark upon the province.

§ 18. Sulla had hardly turned his back upon Asia before
The Second Mithradatic War, 83 B.C.—82 B.C. L. Licinius Murena, whom he left in command of the military forces of the province, forced on a second war with Mithradates. His pretext was that Mithradates' preparations against some revolted Bosphorians were really directed against Rome. Mithradates was quite unable to defend himself, and therefore sent ambassadors to complain to the Senate. That body rather encouraged Murena than otherwise, and Mithradates, in despair, gathered together all his forces and inflicted a great defeat on his assailant. The success was as effectual as un-hoped for: Murena retreated to Phrygia, and soon after Sulla bade him desist from hostilities. The peace thus made lasted for eight years.

CHAPTER VIII.

SULLA IN ITALY.

§ 1. Sulla returns to Italy.—§ 2. Metellus Pius, Pompeius, Crassus : Defeat of Norbanus and Scipio.—§ 3. The Campaign of 82 B.C.—§ 4. Attempts to relieve Praeneste.—§ 5. Battle of the Colline Gate.—§ 6. Fall of Praeneste.—§ 7. The Sullans conquer Sicily and Africa.—§ 8. The Sullan Proscriptions.—§ 9. The *Leges Corneliae*.—§ 10. The Magistrates.—§ 11. The *Indicia*.—§ 12. Weak Points of this Legislation.—§ 13. Last Years of Sulla.

§ 1. FROM Ephesus Sulla sailed to Athens, whence he sent his fleet round the Peloponnese to Patrae in Achaea. He himself stayed for a time in Euboea, and tried, for a numbness in his feet, the hot springs of Aedepsus on the west coast of the island. From Euboea he went by land to Illyria, where his soldiers offered to contribute towards the expenses of the expedition; but Sulla was satisfied that they should show no reluctance towards the dangerous enterprise still before them, and refused the offer. He landed at Brundisium and overran Apulia without hindrance, 83 B.C. The consuls for the year were C. Norbanus and L. Cornelius Scipio Asiaticus, a descendant of the victor of Magnesia. The energy of Carbo had resulted in the equipment of a large force, and the Marians had something like two hundred thousand men at their command. Sulla's army was of much smaller dimensions: he had his five original Italian legions, six thousand horse, and some troops raised in Greece, or forty thousand men in all. The numbers on the two sides were unequally matched, but there were circumstances in Sulla's favour. He was fighting for his own interest, and felt no hesitation about his policy, while his enemies were jealous of each other and torn by disunion.

There was a large party in the Senate which favoured his cause, and he had many friends who only waited for his appearance to place themselves at his orders. The Italians, as a whole, sided with the government, for they feared lest the success of Sulla might mean their own disfranchisement. But Sulla was careful to declare repeatedly that he had no quarrel with the Italians and did not intend to dispute their acquisition of the franchise.

§ 2. As soon as he landed in Italy he was joined by many of the exiled nobles. One of these was Metellus Pius, Pompeius, Q. Metellus Pius, who had quitted Italy on the Crassus. return of Marius (87 B.C.), and, after an unsuccessful attempt on Africa, had maintained himself among the mountains of Liguria. Of still greater note was the famous Gnaeus Pompeius, the son of Cn. Pompeius Strabo, who declared for Sulla in Picenum, where he had large estates, and raised a force of three legions from Auximum and other towns. Another Roman, who was also destined to make a great position for himself, was M. Licinius Crassus, who, after meeting with many strange adventures in Spain, had joined Sulla in Greece. Encouraged by these accessions of strength, Sulla led his troops from Apulia into Campania. Near Capua, he found his way barred by the consul Norbanus, but he defeated his opponent with ease, losing only seventy men to the six thousand of the enemy. Hurrying northwards to Teanum, he encountered Scipio, the other consul. Scipio was no keen supporter of his party, and his soldiers were averse to an engagement. Sulla had little difficulty in persuading him to a conference, but the two leaders could not arrive at a decision. Scipio sent a message to Norbanus, who had taken refuge in Capua, acquainting him with the position of affairs, but his envoy, Sertorius, while passing through Suessa Aurunca, seized the town, which had just declared for the other side. Sulla complained to Scipio of his subordinate's breach of faith, and the latter restored some hostages given to him by Sulla, though no demand was made for them. Upon this, Scipio's men, disgusted by the half-heartedness of their general, began to desert in large numbers, and

the movement continued until the whole force of forty cohorts had gone over. Scipio himself fell into the hands of the enemy, but was dismissed unhurt. Sertorius took little further part in the campaign; he went first to Etruria and thence sailed to Spain, where he held out against the Sullan party for many years. Carbo was in the north of Italy when news of these disasters reached him. He returned hurriedly to Rome, and induced the Senate to declare Metellus and all the other leaders who had joined Sulla to be public enemies. In conjunction with Scipio, he spent the latter half of the year in raising more levies. Sulla did the same in southern Italy. Meanwhile Cn. Pompeius repulsed a threefold attack in Picenum and gained possession of most of the district.

§ 3. The consuls for 82 B.C. were Cn. Papirius Carbo for the fourth time and C. Marius the younger, The Campaign of 82 B.C. who was either the nephew or adopted son of the great Marius. Sulla, after wintering in Campania, advanced into Latium and occupied Setia on the edge of the Pomptine marshes. Marius, who was encamped in the neighbourhood, retreated northwards to Praeneste by way of Signia. At Sacriportus, a place near Praeneste, he gave battle to Sulla with his eighty-four cohorts. The fight was obstinate, but part of the force began to desert, and the left wing of Marius gave way. Eight thousand Samnites were taken prisoners and put to death without mercy; the remnant fled to Praeneste, where they were besieged by the Sullans. Marius himself escaped with difficulty and was hoisted up the walls by a rope. The place was too strong to be captured by assault; Sulla therefore left Q. Lucretius Ofella to reduce it by famine, while he himself hastened on Rome. He reached it without opposition, but a few hours before many of his partisans in the Senate had been massacred in cold blood. Marius is said to have left orders with L. Junius Damasippus to kill as many of the opposite faction as possible. Damasippus convoked the Senate in the Curia, and cut down those who were opposed to his policy. Among those who perished were C. Papirius Carbo and Q. Mucius Scaevola. This Carbo was one of the proposers of the *Lex Plautia-Papiria*

of 89 B.C., and, as Cicero says, the only one of the name that was a good citizen. Q. Mucius Scaevola, the Pontifex Maximus, was a great lawyer and orator, to whom Cicero went for instruction in his youth. He was cut down in the temple of Vesta, and his body, like those of his fellow-victims, was thrown into the Tiber. But Sulla was at hand, and Damasippus fled precipitately to Carbo, who was now at Clusium in Etruria. Sulla did not allow his army for the moment to enter Rome, but he called a meeting of the citizens and bade them have no fear, for order would soon be restored to the State.

§ 4. Meantime Carbo had been engaged in northern Italy against Metellus and Pompeius. He had already won one victory over Metellus when the news of Sacriportus caused him to retire to Ariminum, his headquarters. Here he was attacked and lost a considerable portion of his army through desertions; but he soon rallied and marched to Clusium in Etruria. A battle was fought between him and Sulla, but without decisive result, and Carbo directed all his energy to relieving Marius in Praeneste. The officer to whom he entrusted this task was Carrinas, a man of considerable ability. But Carrinas was no match for the combined forces of Metellus and Pompeius, and at Spolegium was defeated with the loss of three thousand men. Carbo was still undaunted: he next sent eight legions southwards under Marcius. Again he was unsuccessful: the soldiers mutinied and fell back on Ariminum. By this time Carbo was himself in dire straits: his enemies surrounded him on all sides; Sulla was in Etruria, Pompeius in Umbria, while Metellus, who had gone by sea to Cisalpine Gaul, threatened him in the rear. Leaving Sulla for the moment in possession of Etruria, he marched against Metellus. He came up with the enemy at Faventia (*Faenza*), and in the battle lost ten thousand of his men. Of the rest, all except one thousand went over to Metellus. Their leader, Albinovanus, regarding his cause as lost, determined to win his pardon from Sulla by the murder of his fellow-officers. He invited them to a banquet and deliberately had them murdered: Norbanus,

however, who was one of the invited guests, suspected treachery, and fled from Italy. He ultimately reached Rhodes, where he stayed until Sulla demanded his surrender; upon which he killed himself.

The position of Carbo was now hopeless. In southern Italy the Samnites still held out in their mountain glens, but with this exception only a few isolated positions, like Nola and Praeneste, remained true to the democratic cause; with Ariminum, all Cisalpine Gaul was lost, and Umbria was at the mercy of Crassus and Pompeius. All that he had left was northern Etruria. He made one more attempt to relieve Praeneste: Damasippus was sent with two legions, but he could not force his way against the overwhelming strength of Sulla's forces, and he soon returned to his general. Carbo had forty thousand men under his standard, but he now abandoned the struggle. He fled to Africa, and in his absence his army was utterly routed at Clusium by Pompeius.

§ 5. The Marian party had no leaders left in Italy, but the Samnites, foes as implacable as they had ever been, would not abandon Praeneste to its fate without a final effort. In conjunction with their kinsmen the Lucanians, and increased by the relics of Carbo's army, they appeared before the besieged city. Their leaders, the Lucanian Lamponius and the Samnite Pontius Telesinus, tried to force their way through Sulla's lines; but the pass by which the attempt was made was too strongly occupied. Then, like Hannibal when he attempted to relieve Capua, they turned aside in desperation and marched straight for Rome. In that direction there was no force to bar their progress, and for a moment the enterprise seemed likely to be crowned with success; but before long the news of their departure reached Sulla, and he too marched from his position before Praeneste upon the capital. The Samnites passed the night upon the Alban Mount, and in the morning appeared close to the Colline Gate. They repulsed without much difficulty a detachment of cavalry which Sulla had sent on in advance, but at noon the main body of Sulla's force was upon them. The battle was hotly contested until night fell, for the

Battle of the
Colline Gate,
82 B.C.

Samnites knew the fate in store for them if they were defeated. They pushed back the left wing of their opponents, where Sulla commanded in person, right to the city walls, and, in spite of the exertions of Sulla, who exposed his person recklessly, had got the best of the struggle when darkness separated the combatants. The right wing of the Romans under Crassus was, however, completely victorious and drove the Samnites opposed to it as far as Antemnae, so that when dawn appeared Sulla knew that victory was his. The Samnites, who had pressed him so hard the evening before, had also retreated, but the Tiber prevented them from escaping, and more than eight thousand were made prisoners.

§ 6. Rome was saved, and "the wolves' den," as the Fall of
Praeneste. Samnites called it, had again escaped the menace of destruction. The battle decided the fate of Praeneste, which surrendered at discretion. Marius tried to escape by one of the subterranean passages in which the place abounded, but failed, and slew himself. All the Samnites captured there were at once executed, and the town was pillaged. Those who were taken prisoners in the battle of the Colline Gate met with the same fate, and were butchered in a body on the Campus Martius. The Senate had met in the temple of Bellona hard by, and the groans of the dying penetrated to the assembly; but Sulla, far from being discomposed when questioned as to the cause of the hubbub, merely replied that a few seditious persons were being executed by his orders.* The few towns which still held out were reduced one by one. The citizens of Norba perished by each other's hands: in Neapolis there was a general massacre, and similar scenes of butchery were perpetrated at Aesernia, the Samnite capital, and at Nola, where Papius Mutilus, the last of the confederate leaders, fell upon his sword. Etruria, which had been Carbo's mainstay, held out longer. The last of its towns which offered resistance was the impregnable Volaterrae. Thither the Marians, to the number of twenty thousand, flocked, and sustained a siege of two years, not capitulating until 79 B.C.

* Seneca, *De Clementia*, l. xii. 2: "Seditiosi pauculi meo iussu occiduntur."

§ 7. We have seen how Sulla, who at the outset of the war was master of just as much territory as his camp occupied, had won first Greece and then Asia. He was now in possession of Italy as well, and only the outlying provinces of the west—Sicily, Spain, and Africa—were held by his enemies. Pompeius was sent to reduce Sicily—a commission which he found little difficulty in accomplishing. He rendered a further service to his party by the capture of Carbo, who, after fleeing to Africa, was sailing thence to Sicily, in ignorance of the fact that the island was in the hands of his enemies. Pompeius put his prisoner in chains, and, despite his many consulships, tried him like a common offender. Many of the bystanders were indignant, but Carbo was too dangerous to be treated with leniency; he was handed over to the executioner and his head sent to Rome. From Sicily Pompeius crossed to Africa, where the Marian party had made considerable headway by ejecting Hiempsal, the King of Numidia, and putting a pretender, Hiarbas, in his place. But the allies soon quarrelled: the praetor Fabius Hadrianus wanted to arm the slaves of the district, but the rich citizens of Utica protested against such a proceeding, and burnt the Marian leader in his own house. His place was taken by Cn. Domitius Ahenobarbus, the son-in-law of Cinna; but the new leader made no effectual stand against Pompeius. Seven thousand of his men at once deserted, and the rest gave way after a short struggle. Hiarbas was captured and put to death, and Hiempsal was restored to the throne. The war was finished within forty days. The soldiers demanded a triumph, but Pompeius, who had never held an office of state, and was merely a private citizen, did not venture to promise it to them, in view of the expected jealousy of Sulla. However, Sulla conceded the prized honour of his own accord, and the triumph was duly celebrated. Even before this, Sulla had hailed his brilliant young officer as Magnus, a notable compliment, despite the tinge of irony that may have lurked beneath the salutation. While Pompeius was performing these exploits, Sertorius had been driven out of Spain; but he soon returned and defeated the Sullans. His exploits, however, belong to a later period than this.

§ 8. The battle of the Colline Gate left Sulla undisputed master of Rome and free to take what vengeance he pleased on his enemies. Three successive lists of proscribed persons were drawn up, until nearly five thousand men of note were marked out as fit objects for any one to kill; and many of these died, not because they had taken a prominent part in the troubles of the time, but because their wealth tempted the greed of Sulla's satellites.* Their goods and lands were given away or auctioned by Sulla at prices that were almost nominal. The bones of Marius were dug up from their tomb and cast into the Anio, and Marius Gratidianus, a kinsman of his great namesake, was dragged away to the tomb of Catulus, one of the victims of 87 B.C., and slain, after his hands, ears, and nose had been cut off and his eyes torn from their sockets. It is said that L. Catilina—afterwards notorious as Cicero's opponent—was one of the agents in this brutality. Not only did the proscribed suffer, but by a law of unprecedented injustice their children and grandchildren were forbidden ever to hold office. All Italy suffered, as did Rome. Throughout Etruria there were wholesale massacres; in Samnium scarcely a single town except Beneventum remained standing, and flourishing communities like Norba, Praeneste, Interamna, and Florentia were pillaged because it was necessary to make an example of them for their adherence to the Marian cause. On the lands thus acquired Sulla settled a hundred and twenty thousand of his legionaries, on whose loyalty he knew he might rely if any resistance to his despotism should be offered. But resistance there was none. Towards the close of 82 B.C., both consuls being now dead, the Senate followed the old-fashioned usage of creating an interrex. L. Valerius Flaccus, a man of moderate views and the cousin of that Flaccus who had been cut off by the mutineer Fimbria, was chosen to fill the office. To Flaccus Sulla addressed a despatch: the disorders of the State were such, he declared, as to require one man's hand

* Sextus Roscius of Ameria, who was murdered in Rome by some unknown hand, was placed on the proscription lists after his death, in order that Chrysogonus, one of Sulla's worthless favourites, might buy up his estates at a ridiculously low figure. The injustice was all the more flagrant since Roscius had been a consistent supporter of Sulla. See Cicero's speech, *Pro Roscio Amerino*.

to heal them, and he offered his services. There could be no refusal: Flaccus convened the Comitia, an irregular proceeding for an interrex, and in 81 B.C. Sulla was named perpetual dictator. His power was very different from that of the old dictators, of whom Q. Servilius Geminus, in 202 B.C., was the last example: they held office only to discharge a specified duty, and resigned as soon as their work was accomplished; Sulla was entrusted with supreme power over all the departments of government—the passing of laws, the settlement of colonies, the assignation of lands—and no term was fixed to his tenure of office.* His position bore more resemblance to that of a Greek despot than to any other magistracy known to antiquity, but with the great difference that he coveted power not for his own ends, but in order to restore the dignity of the Senate.

§ 9. Throughout 81 B.C., and in the following year, Sulla was busied in re-fashioning the constitution. His main object was to place the authority of the Senate on a secure and legal basis, so that it should have nothing to fear from the popular assemblies on the one hand or from powerful magistrates on the other. He first strengthened the Senate, which had been depleted by the recent wars and proscriptions, by giving it three hundred new members, elected in theory by the tribes, but really of the dictator's own choosing. Many of these new senators were taken from the Equestrian order, for Sulla saw the necessity of infusing new blood into the worn-out aristocracy. Next he passed a series of laws to make it the supreme power in the State: (1) The tribunitian office, that had proved so formidable a weapon in the hands of the Gracchi and their successors, was degraded by various restrictions; (2) The Comitia Centuriata was to replace the Comitia Tributa as the great popular body for the making of laws, and no bill was to be laid before it which had not previously received the assent of the Senate (*senatus auctoritas*); and (3) The Equestrian order was deprived entirely of its prerogative to send jurors to the standing commissions.

* Cicero's opinion of this unconstitutional measure is expressed in *Lep. adv.* III., §. 5: "Omnium legum iniquissimum dissolutissimæque legis esse arbitror cum, quare L. Flaccus interrex de Sulla tulit, ut omnia quæcumque ille fecisset, essent rata."

§ 10. Considerable changes were made in the position of the magistrates. The tribunate naturally was the chief sufferer, and it was now deprived of many of the powers that had slowly accrued to it since its establishment. The tribune was still allowed to protect a citizen by his right of veto;* but he could neither check a decree of the Senate, nor stop a vote of the assembly, nor throw a magistrate into prison. Most important of all, he was absolutely debarred from proposing a law to the assembly. Personal restrictions also were attached to the office: probably no one but a senator could be elected, and the very holding of the tribunate was made a bar to any higher magistracy.

To meet the requirements of the provinces, now ten in number,† the six praetors were increased to eight, and the eight quaestors to twenty.‡ Consuls and praetors were no longer sent to govern the provinces in their year of office. During that period they remained in Rome to superintend the civil and legal business of the city: the consuls had a general power of control; of the praetors, the *praetor urbanus* and the *praetor peregrinus* retained their old functions of deciding civil cases, while the remaining six sat as presidents in the newly established criminal courts, the *quaestiones perpetuae* (p. 141). On the expiration of their year of office, the two consuls and the eight praetors were sent abroad as pro-consuls and pro-praetors to govern the ten provinces. The result of this was that in Italy (of which the northern boundaries were now the Macra and the Rubico) the civil and military authority were no longer in the same hands, and so the magistrate was less formidable to the oligarchy. Again, while a consul or praetor could only be deposed by the citizens, or perhaps not at all, pro-consuls and pro-

* Cf. Cicero, *De Legibus*, III, 22. "Sulla, qui tribunis plebis sua lege iniuriæ faciendæ potestatem ademit, auxilii ferendi reliquit."

† Sicily, Sardinia and Corsica, the two Spains, Macedonia, Africa, Asia, Gallia Narbonensis, Cilicia, and Gallia Cisalpina. The last was made a province by Sulla, and included the country from the Macra and Rubico on the south, to the Alps.

‡ The quaestors were apportioned as follows: two (*quaestores urbani*) were treasury officials at Rome; two (*quaestores militares*) acted as paymasters to the troops on service; four (*quaestores classici*) attended to the import duties, etc., of the Italian towns; eleven (two in Sicily, and one in each of the remaining nine provinces) supervised the finances of the provinces; the duties of the twentieth are not known; cf. p. 7.

praetors might be deprived of their office by the Senate. The quaestorship henceforth entitled a man to a seat in the Senate, and as there were now twenty quaestors, there was no need of a censor for the purpose of filling up vacancies. Moreover, as enlistment in the army was now voluntary and Italy was free from taxation, no muster roll or taxation list was required. Accordingly the censorship fell for a time into abeyance, and no censors were appointed for twelve years.

§ 11. The Equites suffered an equal loss of position, for although Sulla increased the standing commissions (*quaestiones perpetuae*) to the number of nine, he deprived them entirely of the right of serving on the juries and transferred this privilege to the senators, so reverting to the principle that had prevailed before the time of C. Gracchus. The first of these courts—that for trying cases of extortion (*quaestio de repetundis*)—was established as early as 149 B.C., and there were now courts for treason (*maiestatis*), violence (*de vi*), assassination (*de sicariis*), parricide (*de paricidio*), poisoning (*de veneficiis*), forgery (*de falso*), and other criminal offences. In these courts the six praetors acted as presidents, or if a praetor was not available, a special *iudex quaestionis* was appointed. The verdict of a majority of the jury (*iudices*) determined the guilt or innocence of the accused; and the ballot was used, though perhaps not invariably.

§ 12. Such a constitution, fraught as it was with the seeds of hatred and discontent, could only be permanent if the governing class, which it sought to benefit, was capable and honest. But the nobility was weaker now than it had ever been, for proscriptions and wars had robbed it of even the poor support of a conservatism founded upon tradition: it was a nobility of parvenus. Almost every other class in the State resented the treatment it had received from Sulla: the proletariat demanded the re-establishment of the corn-doles; the democrats agitated for the restoration of the tribunitian authority; the Equites were eager to recover control of the law courts. Outside Rome the Italians were alienated by the massacres at Praeneste and elsewhere, and

by the confiscation of their lands for the benefit of Sulla's veterans; the soldiery who occupied their farms knew nothing of agriculture, so that wide tracts of country ran to waste, and the latifundia increased. Last of all, there was growing up a class of men who had lost or made fortunes in previous revolutions, and looked to new seditions as the speediest way of enriching themselves.

Attacks soon began to be made on these changes. In 78 B.C. the consul Lepidus championed the democratic programme, demanding, among other things, the rehabilitation of the tribunate, and the renewal of the corn distributions. The attempt at revolution failed for the time, but in 75 B.C. the anti-Sullan consul, C. Aurelius Cotta, re-established the distribution of corn, though on a limited scale, and in the following year another attempt was made to render the tribune eligible for further office. Finally, in 70 B.C., Pompeius and Crassus took up the combined cause of the democrats and the equites, and, backed by powerful armies, upset the political part of the Sullan constitution. The tribune was again declared capable of holding the higher offices of State; he was again allowed to convene and address the tribes; and he recovered in its full extent his old legislative authority. At the same time the censorship was restored, and the new censors signalled their magistracy by a wholesale expulsion of members from the Senate. Finally, owing in part to the disgust caused by Verres' iniquities in Sicily, a law was carried that henceforth the jury lists should be chosen equally from senators, equites, and a third order, the *tribuni aerarii*. Thus the equites got back some part of the privileges taken from them twelve years before. In fact, of all Sulla's changes, the only ones that attained permanence were the useful non-political reforms which regulated the functions of the magistrates and set up the courts of criminal commission. Time proved the utility of these measures, and they remained untouched.

§ 13. All this, however, happened after the death of the
Last Years
of Sulla.
dictator. Sulla, so long as he lived, was undisputed master of the State. He was consul as well as dictator in 80 B.C., but towards the end of that

year he declined to stand again for the consulship, and, to the surprise of every one, actually resigned the dictatorship. Declaring that he was ready to answer for every act of his office, he dismissed his lieutors and retired into private life. In spite of his murders and proscriptions, none of his enemies dared to molest him, although the country was full of men who owed their ruin to him. But even if his enemies had attempted to rise, Sulla knew that a hundred thousand veterans would reply to his call. He retired to his Campanian villa, and lived there quietly till his death in the beginning of 78 B.C. Among his amusements, he drew up a constitution for the neighbouring town of Puteoli, and superintended the restoration of the great temple of the Capitoline Jupiter at Rome, which had been destroyed in the civil tumults. Naturally, he retained some hold on the course of affairs, although he allowed M. Aemilius Lepidus, an avowed democrat, to be elected to the consulship for 78 B.C. His death, which was apparently caused by the breaking of a blood-vessel, was received with expressions of universal sorrow. The consul Lepidus tried to deprive him of a public funeral, but his motion was rejected, and Sulla's body was escorted from Campania to Rome, and burnt in the Campus Martius. The entire senatorial and equestrian orders followed his funeral, and behind these came a countless multitude of soldiers and people. The women of Rome lamented him for a whole year, just as had been done for Brutus the Liberator—a convincing proof of the extent to which he compelled even political enemies to acknowledge the justice of his measures. Sulla, indeed, was beyond question the greatest Roman that his country had yet produced: as a general and statesman he was inferior to Caesar, but to few others. When necessity demanded it, he was without pity for his enemies; but there was little cruelty in his nature, and the self-sacrificing honesty with which he made the cause of the Senate, and not personal advancement, the main object of his life, is as admirable as it is rare.

CHAPTER IX.

LITERATURE.

§ 1. Literary Characteristics of the Period.—§ 2. Attius or Accius.
—§ 3. Comedy.—§ 4. Satire.—§ 5. History.—§ 6. Oratory.—§ 7. Law.
—§ 8. Philosophy.

§ 1. THE literature of this period is the work of writers who are little more than names to us. The preceding century still lives in the comedies of Plautus and Terence; but with the exception of the rhetorical treatise “Ad Herennium,” these fifty-five years are now represented only by fragments. The greatest genius among the writers is probably the satirist C. Lucilius, but oratory was practised with great success, a fact not to be wondered at when we recollect the political turmoil of the period. The writing of history flourished, but the language chosen ceased to be Greek. Tragedy showed a decline from the altitude of Ennius and Naevius, although its chief exponent, L. Accius, was a favourite of Cicero. Comedy based on Greek models died away with Terence and Afranius, but more native forms of the drama—the *Togatae* and the *Atellanae*—were cultivated with success. Epic poetry was written, and epigrams, written in elegiac verse, are still extant.

§ 2. In tragedy the mantle of Ennius fell upon L. Attius or Accius, the son of a freedman of Pisaurum (*Pesaro*) in Umbria. He was born the year before the death of Ennius (170 B.C.), was the rival of Pacuvius, and lived to see Cicero, already thirteen years old (94 B.C.). Nevertheless, his writing, which was voluminous, was quite of the archaic style. Horace calls him lofty—that is, somewhat high-flown in language; but his

tragedies were the most popular of his day, and continued to be represented for generations after his death. Besides nearly forty tragedies, he wrote a versified history of Greek and Roman poetry—known as *Didascalía*—and “Annals” in hexameter verse recording the legends of Mythology. The list of his writings includes also two historical dramas (*præteritæ*), of which one dealt with the achievements of L. Aemilius Paulus. To Accius belongs the proverbial phrase, *oderint dum metuant*. He was the last of the Roman tragedians.

§ 3. Turning to comedy, we find that the *palliatae* or
 Comedy. dramas of Greek life disappear and give way to the *togatae*. These *togatae* were so named because the characters wore the *toga*, the national Roman dress, and they depicted scenes of Italian life. Titinius was the writer who introduced this kind of play, and some of the names of his comedies have come down to us. Among them are *Cæcus*, or “the Blind Man,” *Psallia*, or “the Dancing Girl.” He was followed by T. Quintius Atta, about whom nothing is known, and by L. Afranius, the most famous of the playwrights of this class. Horace in his Epistles records the popular judgment that his comedies were not unworthy of Menander. About the time of Sulla the *Atellanæ* received a literary form. These Atellan plays took their name from the Campanian town of Atella, where they originated. They were the broadest of farces, and contained three stock characters—Maccus or the Clown, Bucco, and Pappus or the Pantaloon. Unlike other plays, it was considered no disgrace for the noblest Roman youths to appear in them. The best-known writers are Novius, who flourished about 100 B.C., and L. Pomponius, a knight of Bononia, and friend of Sulla.

§ 4. Satire was a form of poetry which the Romans
 Satire. boasted to be peculiarly their own. It is usually derived from the adjective *satur*, and so means a “medley” of verse essays on different topics. Pacuvius is said to have written satires, but the man whom Horace and Juvenal regarded as their master was C. Lucilius, a knight of Suessa Aurunca in Campania. Lucilius was born in 148 B.C. He is said to have served

under Scipio Aemilianus in the Numantine War (133 B.C.), but if so, he must have been a mere boy, and he was on terms of the closest intimacy with Scipio, Laelius, and the other members of the Scipionic circle. He died in 103 B.C. Horace declared that his verse lacked polish, and the same keen critic blamed him for the careless facility with which he poured out his verses and his inartistic blending of Greek and Roman terms; but all were unanimous in praising his old-fashioned morality and his denunciation of the prevalent corruption and venality.

§ 5. History was in the main the same uncritical narration of events year by year, that it had been in the hands of Fabius Pictor and Cincius Alimentus; but signs were not wanting that the influence of Greek models was making itself felt, though Roman historians now, as a rule, wrote in Latin. Nearly all the writers of history took part in the political history of the times, especially L. Calpurnius Piso and Sempronius Asellio. This Piso was consul for 133 B.C., and a determined opponent of Tiberius Gracchus. His *Annales* followed the orthodox plan, and were only peculiar in the rationalistic explanation of the ancient legends. Sempronius Asellio served at the siege of Numantia and was murdered in a tumult excited by the money-lenders (p. 105), 89 B.C. He tried to trace the cause of events, as well as to relate them, and made some attempt at the treatment of constitutional history. Caelius Antipater elaborated his narrative with picturesque details, but did not go so far as to alter his facts for the sake of effect. Claudius Quadrigarius, a contemporary of Sulla, who wrote a history of Rome down to his own times, was sufficiently sensible to start at the burning of the city by the Gauls, and to pass briefly over the earlier history. Valerius Antias, who lived at about the same time, was followed very much by Livy in his first decade; but comparison with other sources at length convinced the Augustan historian of his predecessor's lack of veracity. He began to disbelieve Antias when he had the hardihood to state precisely how many men fell in the obscure wars of the early republic. C. Licinius Macer was much more trustworthy as an authority, and, we are told,

consulted carefully such sources as the *lintei libri*, or linen rolls on which a public record of events was preserved from very early times.

§ 6. Oratory, of course, did not rise to the heights it attained in Cicero, but the period contains a long list of men who could speak with eloquence and effect. Foremost among these, at the commencement of the period, was Scipio Aemilianus, whose speeches on the agrarian question were admired by Cicero. His friend, C. Laelius, also spoke on the side of the Senate, while C. Papirius Carbo was, for a time, an ardent supporter of the Gracchi. Both the Gracchi were perfect orators, although, as mentioned previously, Tiberius lacked his brother's vehemence and enthusiasm. M. Aemilius Scaurus, the leader of the Senate, left speeches and an autobiography behind him. Q. Lutatius Catulus, the colleague of Marius, also won fame by his eloquence, but far in advance of him were M. Antonius and M. Licinius Crassus, both placed by Cicero in the very first rank. Antonius' eloquence was to a large extent the gift of nature, and was helped by a dignified presence and a magnificent voice: Crassus had studied diligently and was the most learned lawyer of his day. Both of them figure as speakers in the dialogue *De Oratore*, but Crassus was the greater favourite with Cicero, and is put in the more conspicuous position. Crassus died when Drusus was proposing to bestow the franchise upon the Italians (91 B.C.), and his last speech defended the action of the Senate against a furious invective of the consul Philippus, who accused it of remissness and lack of patriotism. Crassus was successful, but his exertions brought about his death a week afterwards. Antonius lived on until 87 B.C., when he was proscribed and murdered. The only other orator to need mention is P. Sulpicius Rufus, who came into collision with Sulla in 88 B.C., and perished while fleeing from Rome. In many respects he resembled Antonius: Cicero styles him the most emotional of orators.

§ 7. The greatest lawyers of the period are to be found in the Mucii. The first of these in order of date was P. Mucius Scaevola, consul in 133 B.C., and afterwards Pontifex Maximus. The chief services that

he rendered to legal studies were his publication of the *Annales Pontificum* from the earliest period, and his "replies" (*responsa*) to those who came to consult him. His son, Q. Mucius Scaevola the Augur, followed in his steps, though he did not achieve the same high reputation. Another member of the family, Q. Mucius Scaevola, who was consul in 95 B.C., and afterwards Pontifex Maximus, became famous by a digest of the civil law. Like his relative, the Augur, he had some share in the education of Cicero.

§ 8. The conquest of Greece brought Greek philosophy to Rome. In 155 B.C. an embassy, consisting of Philosophy. Diogenes the Stoic, Critolaus the Peripatetic, and Carneades the New Academician, came to lay the case of Oropus before the Senate, and while engaged in this task, also gave lectures expounding their philosophies. Cato and the old-fashioned party were bitterly antagonistic to the spread of foreign culture, which also meant foreign atheism, but were impotent against the tide of Hellenism. The three chief schools of Greek thought—the Stoics, who regarded virtue as the supreme good; the Epicureans, who taught that pleasure was the aim of existence; and the New Academicians, who doubted whether anything could be known—soon had their adherents, though the strenuous Roman evinced a preference for Stoicism. Epicureanism at first made little headway. It was just as well that it should not, for the Roman was too practical a person to comprehend philosophic theories, and when he learnt that pleasure was to be the chief aim of life, he converted the theory into an animalism widely remote from the real teaching of Epicurus.

TEST QUESTIONS

ON

ROMAN HISTORY, 133—78 B.C.

1. Describe the position of the Senate in 133 B.C., and explain the causes of its strength.
2. Estimate the position of the Popular Assemblies at this period. State their duties, and explain why they had lost efficiency.
3. Make a list of the magistrates in 133 B.C., and describe shortly the duties of each.
4. Write a note on the Lex Villia Annalis.
5. Describe and explain the decay of the farmers which set in after the Second Punic War.
6. What was *ager publicus*? Describe generally the disputes concerning it, and mention the more important agrarian laws passed before the time of the Gracchi.
7. Give some account of slavery among the Romans in the second century B.C., and estimate its influence on Roman history.
8. Explain the causes of the growth of the urban proletariat.
9. In what respects did the Army of this period differ from that of earlier times?

10. Explain the nature of the Roman *civitas*. Define *commercium* and *conubium*, and state how far they were possessed by the passive citizens, the *nomen Latinum*, and the allies.

11. Explain the system on which the Romans were divided into tribes. How far were they local at this date?

12. Distinguish between a citizen colony, a Latin colony, a *municipium*, and a *praefectura*. Give instances of each.

13. Describe the position of the allies with respect to Rome, and state their grievances.

14. Into what classes was the population of the Roman dominions divided at the time of the Gracchi? Describe concisely their political status.

15. Draw a map showing the extent of the Roman dominions in 133 B.C. Give the dates at which the various provinces were acquired.

16. Explain the purport of the Lex Calpurnia of 149 B.C.

17. Annotate these expressions: *lex provinciae*, *decumae*, *frumentum imperativum*, *negotiatores*, *publicani*.

18. Describe the various systems on which the provinces were taxed, and mention any abuses to which they led.

19. Describe the rise and position of the Equestrian Order.

20. What were the causes of the depopulation of Italy which commenced after the Second Punic War? How did Tiberius Gracchus propose to deal with this evil?

21. Write, with dates, a short life of Tiberius Gracchus.

22. Give a brief account of the agrarian legislation of Tiberius Gracchus. How far was it carried out, and with what results?

23. How far was Tiberius Gracchus guilty of unconstitutional conduct in his tribunate?

24. Describe the events which resulted in the conversion of the kingdom of Pergamus into a Roman province.

25. Describe, with the aid of a map, the territorial arrangement of Asia Minor in 133 B.C.

26. Write a life of Scipio Aemilianus, with especial reference to his position in Roman politics. Trace his family connection with Scipio Africanus Major.

27. Write out a summary of the legislation of C. Gracchus, explaining briefly the aim and import of each measure.

28. Draw a careful comparison between the political aims of C. Gracchus and those of his brother.

29. Give an account of the measures by which the Senate secured the overthrow of C. Gracchus.

30. Write a note on the *Senatus Consultum Ultimum*. What powers did the Senate claim to exercise by virtue of it, and how far did the democratic party admit the claim?

31. Explain the question of admitting the freedmen to the tribes. At what date did it cause trouble during this period?

32. What was the ultimate fate of the Gracchan legislation about (a) the public land, (b) the distribution of corn, (c) the courts of standing commission?

33. Write a short history of Massilia down to the year 125 B.C.

34. Describe briefly, with dates, the conquest of Gallia Narbonensis by the Romans.

35. Draw an outline map of Gaul, and insert these names: Massilia, Aquae Sextiae, Narbo, Tolosa, Arausio, Avennio, Aginnum, Vocontii, Salluvii, Allobroges, Arverni, the Via Domitia.

36. Make a dated summary of the chief events in the Jugurthine War.

37. What Roman historian is our chief authority for the war with Jugurtha? Mention some points in his account which have been criticised by modern historians.

38. Draw an outline map of northern Africa and insert these names: Hippon Regius, Capsa, Cirta, Thala, Vaga, Zama, Utica, the rivers Mulucha and Bagradas.

39. Describe briefly the operations of the Romans in Dalmatia and the interior down to 110 B.C.

40. Trace the wanderings of the Cimbri down to the battle of Vercellae.

41. What alterations did Marius introduce into the army? What was their effect on Roman history?

42. Describe briefly the circumstances under which the battles of Arausio, Aquae Sextiae, and Vercellae were fought.

43. Write a short account of the Second Sicilian slave war.

44. Explain the purport and aim of the Lex Domitia de Sacerdotiis.

45. Describe the political position and aims of Saturninus. Summarise the legislation he proposed in his two tribuneships.

46. What do you know of the *Lex Licinia Mucia*, *Lex Caccilia Didia*, *Aurum Tolosanum*?

47. Describe the actions of Marius in his sixth consulship.

48. What do you consider to have been the chief aim of M. Livius Drusus in his legislation of 91 B.C.?

49. Give a short account of the laws proposed by Drusus.

50. At what dates and by what statesmen had it been proposed to extend the franchise to the allies before the time of Drusus?

51. Give an account of the outbreak of the Social War.

52. Describe very briefly the three campaigns of the Social War, and indicate the general results of each.

53. Give the provisions of the *Lex Iulia*, *Lex Plautia Papiria*, *Lex Calpurnia*, *Lex Pompeia*.

54. State the results of the Social War.

55. Explain the dispute which arose after the Social War about admitting the allies to the tribes. When was it finally settled?

56. Describe the Sulpician Laws and explain the object of each.

57. Relate briefly the life of Sulla down to the outbreak of the First Mithradatic War.

58. Write a summary of the life of Marius, and give the dates of his consulships.

59. What measures is Sulla said to have passed in 88 B.C.?

60. What is meant by the "day of Cinna and Octavius"?

61. What part did the Samnites take in the civil wars between the Marians and the Sullans?

62. Describe the circumstances in which Marius got possession of Rome in 87 B.C.?

63. Write a brief account of the rule of Cinna.

64. Explain the causes of quarrel between Mithradates and the Romans. Describe the various kingdoms of Asia Minor at that date.

65. Relate the campaign which preceded the occupation of the Province of Asia by Mithradates.

66. Write a short account of the conflict in Europe between Sulla and the generals of Mithradates.

67. Describe the campaign of Sulla in Asia, and mention the conditions on which peace was made.

68. What was the Second Mithradatic War?

69. Give in outline the history of the Civil War from the landing of Sulla in Brundisium to the taking of Praeneste.

70. Write an account of the battle of the Colline Gate.

71. Describe the operations of the Sullans against the provinces of the West. How far were they successful?

72. What were the main objects at which Sulla aimed in his legislation?

73. Show how the position of the Senate in the State was strengthened by Sulla.

74. What alterations were made by Sulla in the numbers, duties, and position of the magistrates?

75. Trace the struggle for the *iudicia* at Rome. How was the question settled by Sulla, and how long did his arrangement last?

76. To what extent was the legislation of Sulla permanent?

77. Enumerate the different kind of plays written during this period, giving the authors' names.

78. Write short accounts of C. Lucilius, M. Antonius, and M. Licinius Crassus.

79. What historians flourished during this period?

Name and date any events connected with the following places, and give the position and (where possible) the modern name of each:—

80. Stratonicea, Pergamus, Rhodes, Nicomedia.

81. Scyllaceum, Fregellae, Tolosa, Narbo.

82. Aquae Sextiae, Aginnum, Vindalium, Arausio.

83. Vercellae, Aquileia, Asculum, Alba Fuentia.

84. Corfinium, Grumentum, Bovianum, Aesernia.

85. Nola, Praeneste, Beneventum.

86. Sacriportus, Faventia, Clusium, Volaterrae.

87. Orchomenus, Chaeroneia, Aulis, Chalcis.

Show how each of the following was connected with the history of his times:—

88. P. Licinius Crassus Mucianus, P. Mucius Scaevola, M. Octavius.

89. P. Cornelius Scipio Nasica, M. Fulvius Flaccus, C. Papirius Carbo.

90. M. Livius Drusus, L. Opimius, M. Aemilius Scaurus.

91. Q. Fabius Maximus Aemilianus, L. Calpurnius Bestia, Memmius.

92. C. Porcius Cato, M. Junius Silanus, Q. Servilius Caepio.

93. Cn. Mallius Maximus, M. Aquillius, C. Servilius Glaucia.

94. P. Rutilius Rufus, Q. Pompeidius Silo, C. Papius Mutilus.

95. L. Julius Caesar, L. Cornelius Scipio, C. Norbanus.

96. L. Licinius Lucullus, L. Valerius Flaccus, Fimbria.

97. L. Licinius Murena, Q. Metellus Pius, M. Licinius Crassus.

98. L. Junius Damasippus, Q. Mucius Scaevola, Albino-vanus.

99. Q. Lutatius Catulus, Cn. Pompeius Strabo, Q. Pompeius Rufus.

100. Translate and explain, adding dates:—

(a) ὅς ἀπόλοιτο καὶ ἄλλος, ὃ τις τοιαῦτά γε ῥέζοι.

(b) quis tulerit Gracchos de seditione quementes?

(c) hostium armatorum toties clamore non territus,
qui possum vestro moveri, quorum noverca est
Italia?

(d) Sp. Thorius agrum publicum vitiosa et inutili
lege vectigali levavit.

(e) ita civitas Italiae data est, ut in octo tribus
contribuerentur novi cives, ne potentia eorum
et multitudo veterum civium dignitatem
frangeret.

(f) omnium legum iniquissimam dissimillimam-
que legis esse arbitror eam, quam L. Flaccus
interrex de Sulla tulit, ut omnia quaecumque
ille fecisset essent rata.

(g) satura quidem tota nostra est.

(h) dicitur Afrani toga convenisse Menandro.



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